



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING
October 19, 2022 6:30 pm

1. CALL MEETING TO ORDER
2. APPROVAL OF THE AGENDA
3. CORRECTIONS, APPROVAL AND RATIFICATION OF MINUTES
 - A. July 20, 2022
 - B. August 17, 2022
4. COMMUNICATIONS
 - A. Bill Breckenfeld, 2191 Hamilton RE: ZBA #22-10-19-1
 - B. Chris Antonides, 2211 Hamilton RE: ZBA #22-10-19-1
 - C. Rui He, 2198 Hamilton RE: ZBA #22-10-19-1
 - D. Gloria Thompson, 2217 Hamilton RE: ZBA #22-10-19-1
 - E. Patricia Mckane, 2195 Hamilton RE: ZBA #22-10-19-1
5. UNFINISHED BUSINESS
6. NEW BUSINESS

A. ZBA CASE NO. 22-10-19-1 (Schultz), Blaine Schultz, 4496 Oakwood Drive, Okemos, MI 48864

DESCRIPTION: 2205 Hamilton Road
TAX PARCEL: 21-327-006
ZONING DISTRICT: RA (Single Family, Medium density)

The variance requested is to construct a new single-family home that does not meet the front yard setback located at 2205 Hamilton Road.

B. ZBA CASE NO. 22-10-19-2 (Smith), Aaron Smith & Jessica Dietrich, 4810 Arapaho Trail, Okemos, MI 48864

DESCRIPTION: 4810 Arapaho Trail
TAX PARCEL: 20-281-015
ZONING DISTRICT: RAA (Single Family, Low Density)

The variance requested is to construct a new deck in the floodplain located at 4810 Arapaho Trail.

7. OTHER BUSINESS
8. PUBLIC REMARKS

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: Assistant Planner Keith Chapman, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4580 - Ten Day Notice is Required.
Meeting Location: 5151 Marsh Road, Okemos, MI 48864 Township Hall



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING
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9. BOARD MEMBER COMMENTS
10. ADJOURNMENT

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

Individuals with disabilities requiring auxiliary aids or services should contact the Meridian Township Board by contacting:
Assistant Planner Keith Chapman, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4580 - Ten Day Notice is Required.
Meeting Location: 5151 Marsh Road, Okemos, MI 48864 Township Hall

**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS REGULAR MEETING MINUTES *DRAFT*
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, JULY 20th, 2022
REGULAR TELEVISED MEETING**

PRESENT: Chair Mansour, Members Deschaine, Koenig, Premoe

ABSENT: Vice-Chair Field-Foster

STAFF: Assistant Planner Keith Chapman

1. CALL MEETING TO ORDER

Chair Mansour called the meeting to order at 6:31 p.m.

2. APPROVAL OF AGENDA

Member Premoe moved to approve the agenda as presented. Seconded by Member Deschaine.

ROLE CALL VOTE:

YEAS: Members Koenig, Deschaine, Premoe, Chair Mansour

NAYS: None

Motion carried: 4-0

3. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

A. June 15, 2022 Meeting Minutes

Chair Mansour moved to approve the minutes from Wednesday, June 15, 2022 as presented. Seconded by Member Deschaine.

ROLE CALL VOTE:

YEAS: Members Koenig, Deschaine, Premoe, Chair Mansour

NAYS: None

Motion carried: 4-0

4. COMMUNICATIONS

Chair Mansour noted a communication has been received relevant to the case on the agenda.

5. UNFINISHED BUSINESS-NONE

6. NEW BUSINESS

A. ZBA CASE NO. 22-07-20-1 (6116 Columbia), Paul Andrus, 6116 Columbia St., Haslett, MI 48840

The variance requested is to construct an attached garage that does not meet the front yard setback permitted by ordinance at 6116 Columbia Street.

Assistant Planner Chapman outlined the case for discussion.

Applicant Paul Andrus, 6116 Columbia St., Haslett, MI made himself available for questions.

Member Koenig asked staff what the recently changed section of the Zoning Code previously said about the front yard setback requirement.

Assistant Planner Chapman replied in this case it would have been a 20 foot requirement.

Member Koenig asked if the garage built at 6112 Columbia St. would have required for a variance.

Chair Mansour replied she is sure they would have.

Member Koenig noted the garage at 6112 Columbia St. is closer to the road than this proposed garage so there should be no issue in granting a variance in this case.

Member Koenig asked if the proposed garage would be closer to the road than the shed currently on the property.

Mr. Andrus replied the shed extends beyond where the new garage would go up, and that he intends to tear down the shed.

Member Deschaine asked how the foot print of the carport and the new garage would compare.

Mr. Andrus replied that he believes the carport may have been a little longer, but it was very similar in measurement.

Member Premoe noted the neighbors seem supportive of the garage, and he has no issue with this request.

Chair Mansour asked if there was any way to make this structure smaller.

Applicant's Contractor Felix Allen Ingram, 1365 Red Leaf Ln., East Lansing, MI replied originally the garage would have required an 8 foot variance, but through working with the township the garage was scaled back.

Chair Mansour read review criteria one from Section 86-221 of the Code of Ordinances which states unique circumstances exist that are peculiar to the land or structure, that are not applicable to other land or structures in the same zoning district and these unique circumstances are not self-created.

Chair Mansour stated Criteria one has been met.

Chair Mansour read review criteria two which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties that would prevent the owner from using the property for a permitted purpose.

Chair Mansour stated criteria two has been met.

Chair Mansour read review criteria three which states Granting the variance is the minimum action necessary which would carry out the spirit of this Zoning Ordinance, secure public safety, and provide substantial justice.

Chair Mansour stated criteria three has been met.

Chair Mansour read review criteria four which states granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.

Chair Mansour stated Criteria four has been met.

Chair Mansour read review criteria five which states Granting the variance will be generally consistent with public interest and the purposes and intent of this chapter.

Chair Mansour stated criteria five has been met.

Member Deschaine moved to grant the variance in ZBA CASE NO. 22-07-20-1 (6116 Columbia), Paul Andrus, 6116 Columbia St., Haslett, MI 48840. Seconded by Member Premoe.

ROLE CALL VOTE:

YEAS: Members Koenig, Deschaine, Premoe, Chair Mansour

NAYS: None

Motion carried: 4-0

7. OTHER BUSINESS -NONE

8. PUBLIC REMARKS

Chair Mansour opened the floor for public remarks at 6:49 pm.

NONE

Chair Mansour closed public remarks at 6:49 pm.

9. BOARD MEMBER COMMENTS

Member Deschaine

- Thanked staff for providing board members with Planning and Zoning news

10. ADJOURNMENT

Chair Mansour moved to Adjourn.

Chair Mansour Adjourned the meeting at 6:49 pm.

**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS REGULAR MEETING MINUTES *DRAFT*
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, AUGUST 17TH, 2022
REGULAR TELEVISED MEETING**

PRESENT: Vice-Chair Field Foster, Members Deschaine, Koenig
ABSENT: Chair Mansour, Member Premoe
STAFF: Assistant Planner Chapman

1. CALL MEETING TO ORDER

Vice-Chair Field-Foster called the meeting to order at 6:37 p.m.

Vice-Chair Field-Foster called the roll. Chair Mansour and Member Premoe are absent, all others present.

2. APPROVAL OF AGENDA

Member Deschaine moved to approve the agenda as presented. Seconded by Member Koenig.

ROLE CALL VOTE:

YEAS: Vice-Chair Field Foster, Members Deschaine, Koenig

NAYS: None

Motion carried: 3-0

3. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

A. July 20, 2022 Meeting Minutes

Member Koenig noted Vice-Chair Field-Foster was marked as both absent and present in the July 20th 2022 minutes. This should be corrected to show that she was absent.

4. COMMUNICATIONS

A. Pushpa & Harish Tekchandani, 6046 Porter Ave. RE: ZBA Case #22-08-17-2

5. UNFINISHED BUSINESS-NONE

6. NEW BUSINESS

A. ZBA CASE NO. 22-08-17-1 (419 Haslett), David & Cathie Myers, 419 Haslett Road, Haslett, MI 48840

DESCRIPTION:	419 Haslett Road
TAX PARCEL:	12-400-015
ZONING DISTRICT:	RR (Rural Residential)

The variance requested is to allow an accessory building (garage) to project into the front yard located at 419 Haslett Road.

Assistant Planner Chapman outlined the case for discussion.

Applicant David Myers, 419 Haslett Rd., Haslett, MI further outlined the case for discussion.

Member Deschaine asked if Mr. Myers built a new home on this property, and if he had the old house torn down.

Mr. Myers replied he built his new home on this property last year. He explained there was no house on the land previously.

Member Koenig asked staff if there were past variances granted regarding the placement of the barns on the neighboring properties to the east and west.

Assistant Planner Chapman replied he could not find variances for either properties in his records.

Vice-Chair Field-Foster asked if the property currently has a garage.

Mr. Myers replied there is currently a two car garage attached to the home.

Vice-Chair Field-Foster asked where vehicles are parked right now.

Mr. Myers replied one of his cars is at a friend's house, while the tractor and its attachments are in the garage.

Vice-Chair Field-Foster asked staff about the number of cases regarding additional garage space in the township.

Assistant Planner Chapman noted these cases do come up, but does not appear to be a continual issue.

Vice-Chair Field-Foster read review criteria one from Section 86-221 of the Code of Ordinances which states unique circumstances exist that are peculiar to the land or structure, that are not applicable to other land or structures in the same zoning district and these unique circumstances are not self-created.

Vice-Chair Field-Foster stated Criteria one has been met.

Vice-Chair Field-Foster read review criteria two which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties that would prevent the owner from using the property for a permitted purpose.

Member Koenig noted it would be difficult to build on this property as it's surrounded by wetlands and wooded areas in the side and back yards. He took further note that Zoning Code prohibits building in the front yard.

Member Deschaine agreed with Member Koenig's statement.

Vice-Chair Field-Foster stated criteria two has been met.

Vice-Chair Field-Foster read review criteria three which states Granting the variance is the minimum action necessary which would carry out the spirit of this Zoning Ordinance, secure public safety, and provide substantial justice.

Vice-Chair Field-Foster stated criteria three has been met.

Vice-Chair Field-Foster read review criteria four which states granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.

Vice-Chair Field-Foster stated Criteria four has been met.

Vice-Chair Field-Foster read review criteria five which states Granting the variance will be generally consistent with public interest and the purposes and intent of this chapter.

Vice-Chair Field-Foster stated criteria five has been met.

Member Deschaine moved to approve the variance for ZBA CASE NO. 22-08-17-1 (419 Haslett), David & Cathie Myers, 419 Haslett Road. Seconded by Member Koenig.

ROLE CALL VOTE:

YEAS: Members Deschaine, Koenig, Vice-Chair Field-Foster

NAYS: None

Motion carried: 3-0

B. ZBA CASE NO. 22-08-17-2 (6078 Porter), Craig Linnell, 6078 Porter Avenue, East Lansing, MI 48823

DESCRIPTION:	6078 Porter Avenue
TAX PARCEL:	06-451-040
ZONING DISTRICT:	RB (Single Family, High Density)

The variance requested is to allow an accessory building (garage) to project into the front yard located at 6078 Porter Avenue.

Assistant Planner Chapman outlined the case for discussion.

Applicant Craig Linnell, 6078 Porter Ave., East Lansing, MI further outlined the case for discussion.

Vice-Chair Field-Foster asked if there is currently a garage on the property.

Mr. Linnell replied no and as far as he can tell there has never been a garage on the property.

Vice-Chair Field-Foster asked if there is any covered parking available.

Mr. Linnell replied there is no covered parking.

Member Deschaine asked how long Mr. Linnell has owned the property.

Mr. Linnell replied he bought the property in February, and moved in during April.

Member Koenig noted what makes this property unique is that it is an older structure that is set back quite far. It also seems to be the only house that does not have a garage. He thanked the applicant for keeping in line with other Ordinances.

Member Deschaine agreed with Member Koenig's statements and spoke in support of this variance.

Vice-Chair Field-Foster read review criteria one from Section 86-221 of the Code of Ordinances which states unique circumstances exist that are peculiar to the land or structure, that are not applicable to other land or structures in the same zoning district and these unique circumstances are not self-created.

Vice-Chair Field-Foster stated Criteria one has been met.

Vice-Chair Field-Foster read review criteria two which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties that would prevent the owner from using the property for a permitted purpose.

Vice-Chair Field-Foster stated criteria two has been met.

Vice-Chair Field-Foster read review criteria three which states Granting the variance is the minimum action necessary which would carry out the spirit of this Zoning Ordinance, secure public safety, and provide substantial justice.

Vice-Chair Field-Foster stated criteria three has been met.

Vice-Chair Field-Foster read review criteria four which states granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.

Vice-Chair Field-Foster stated Criteria four has been met.

Vice-Chair Field-Foster read review criteria five which states Granting the variance will be generally consistent with public interest and the purposes and intent of this chapter.

Vice-Chair Field-Foster stated criteria five has been met.

Member Deschaine move to approve ZBA CASE NO. 22-08-17-2 (6078 Porter), Craig Linnell, 6078 Porter Avenue, East Lansing, MI 48823. Seconded by Member Koenig.

ROLE CALL VOTE:

YEAS: Members Koenig, Deschaine, Vice-Chair Field-Foster

NAYS: None

Motion carried: 3-0

7. OTHER BUSINESS -NONE

8. PUBLIC REMARKS

Chair Mansour opened the floor for public remarks at 7:24 pm.

NONE

Chair Mansour closed public remarks at 7:24 pm.

9. BOARD MEMBER COMMENTS-NONE

10. ADJOURNMENT

Vice-Chair Field-Foster moved to Adjourn. Seconded by Member Deschaine.

Vice-Chair Field-Foster adjourned the meeting at 7:24 pm.

Memo

To: Charter Township of Meridian – Planning Division
From: BILL BRECKENFELD
Date: 9/8/22
Re: Request for Variance – 2205 Hamilton

To Whom It May Concern,

I/We are aware that a Variance request has been made for 2205 Hamilton Road, Okemos, MI to allow for a setback requirement variance to build a new home at approximately the same distance back from Hamilton Road as the existing structure (50 feet vs standard requirement of 85 feet is being requested)

I/We are in support of this variance being granted for 2205 Hamilton Road.

Respectfully Submitted,

Bill (William) Breckenfeld

9/9/22

2191 HAMILTON RD.

OKEMOS, MI 48864

Memo

To: Charter Township of Meridian – Planning Division
From: CHRIS ANTONIDES
Date:
Re: Request for Variance – 2205 Hamilton

To Whom It May Concern,

I/We are aware that a Variance request has been made for 2205 Hamilton Road, Okemos, MI to allow for a setback requirement variance to build a new home at approximately the same distance back from Hamilton Road as the existing structure (50 feet vs standard requirement of 85 feet is being requested)

I/We are in support of this variance being granted for 2205 Hamilton Road.

Respectfully Submitted,



9/9/2022

2211 HAMILTON RD
OKEMOS, MI 48864

Memo

To: Charter Township of Meridian – Planning Division
From:
Date:
Re: Request for Variance – 2205 Hamilton

To Whom It May Concern,

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I/We are in support of this variance being granted for 2205 Hamilton Road.

Respectfully Submitted,

2205 Hamilton Road
Okemos MI 48864

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9.10.2022

Memo

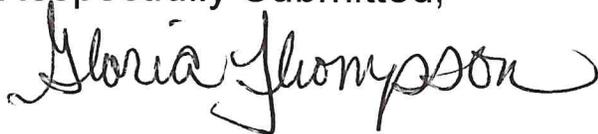
To: Charter Township of Meridian – Planning Division
From: Gloria Thompson
Date: 9-10-22
Re: Request for Variance – 2205 Hamilton

To Whom It May Concern,

I/We are aware that a Variance request has been made for 2205 Hamilton Road, Okemos, MI to allow for a setback requirement variance to build a new home at approximately the same distance back from Hamilton Road as the existing structure (50 feet vs standard requirement of 85 feet is being requested)

I/We are in support of this variance being granted for 2205 Hamilton Road.

Respectfully Submitted,



2217 HAMILTON ROAD
OKEMOS MI 48864

Memo

To: Charter Township of Meridian – Planning Division
From: *Patricia McKone*
Date: 9-10-02
Re: Request for Variance – 2205 Hamilton

2195 Hamilton Rd Okemos, MI 48864

To Whom It May Concern,

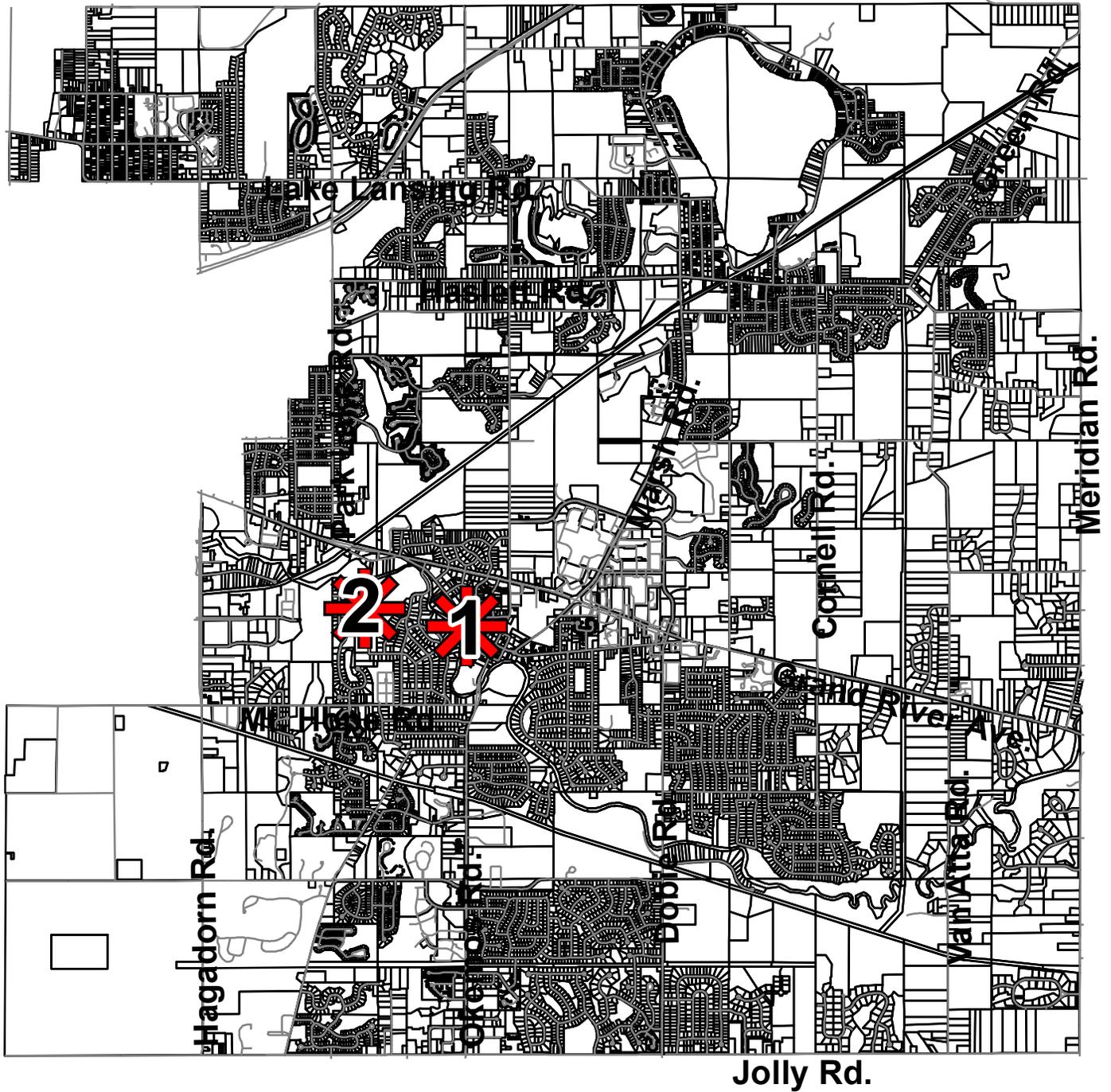
I/We are aware that a Variance request has been made for 2205 Hamilton Road, Okemos, MI to allow for a setback requirement variance to build a new home at approximately the same distance back from Hamilton Road as the existing structure (50 feet vs standard requirement of 85 feet is being requested)

I/We are in support of this variance being granted for 2205 Hamilton Road.

Respectfully Submitted,

Patricia McKone

Meridian Township



Location Map

1. ZBA #22-10-19-1 (Schultz)
2. ZBA #22-10-19-2 (Smith)



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 and these unique circumstances are not self-created.
- (2) Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties that would prevent the owner from using the property for a permitted purpose.
- (3) Granting the variance is the minimum action necessary which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice.
- (4) Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.
- (5) 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: October 13, 2022
Re: ZBA Case No. #22-10-19-1 (Schultz)

ZBA CASE NO.: 22-10-19-1 (Schultz), 4496 Oakwood Drive, Okemos, MI 48864
LOCATION: 2205 Hamilton Road
PARCEL ID: 21-327-006
ZONING DISTRICT: RA (Single Family, Medium Density)

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

- Section 86-373(e)(5)(a) - Front yards. In accordance with the setback requirements of § 86-367 for the type of street upon which the lot fronts. The front yard setback is 85 feet from the centerline of the right-of-way on Hamilton Road.

The applicant intends to demolish the existing 1,302 square foot single-family dwelling and construct a new 1,865 square foot single family home at 2205 Hamilton Road. According to Township records, the one and 3/4 story home was constructed in 1891. At its closest point, the existing single-family home is approximately 50 feet from the centerline of the Hamilton Road right-of-way. The new one-story single-family home is proposed to be 50 feet from the centerline of the right of way. The applicant has a letter of map amendment (Loma) that shows the area of the proposed house is outside of the floodplain.

Section 86-367 is the Township map that designates street setbacks, and, in this case, Hamilton Road is designated as a collector with a front yard setback of 85 feet from the centerline of the street. The proposed single-family home at its closest point will be approximately 50 feet from the centerline of the Hamilton Road right-of-way. A variance of 35 feet is requested.

Alternatively, the Ordinance allows for the Zoning Board of Appeals to establish the required front yard setback. Section 86-561 states any front yard in any single-family residential district may be reduced below the minimum required only when the front yards of existing principal structures within 200 feet of a proposed principal building location are less than the minimum required. Below is a table that shows some of the approximate existing setbacks within the 200 feet of the subject property. The Zoning Board of Appeals, if it so chooses, can establish the front yard setback for this property under this section, bypassing the need for a variance.

ZBA Case No. 22-10-19-1 (Schultz)
Zoning Board of Appeals (October 19, 2022)
Page 2

Address	Setback	Variance
2191 Hamilton	43 feet	
2195 Hamilton	51 feet	
2211 Hamilton	53 feet	
2217 Hamilton	55 feet	Garage addition to nonconforming structure
2223 Hamilton	50 feet	

Attachments

1. Variance application and materials
2. Location map



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

VARIANCE APPLICATION

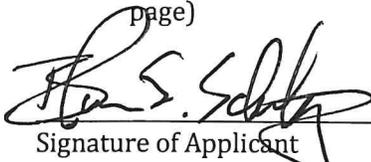
A. Applicant Blaine S Schultz
Address of Applicant 4496 Oakwood drive, Okemos MI 48864
4496 Oakwood drive, Okemos MI 48864
Telephone (Work) 517-321-5998 Telephone (Home) 517-614-0253
Fax 517-321-4526 Email address: bschultz@advanceteam.com
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 2205 Hamilton Road, Okemos MI 48864
Zoning district RA Parcel number 33-02-02-21-327-006

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

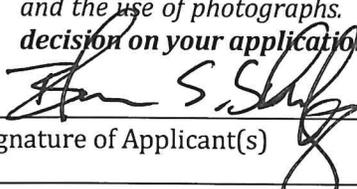
Zoning Ordinance section(s) 373(E) (5) (A)

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)

 BLAINE S. SCHULTZ 9/9/2022
Signature of Applicant Print Name Date

Fee: \$ 250.00 Received by/Date: [Signature] 9/9/22

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.)

 9/9/2022
Signature of Applicant(s) Date
Signature of Applicant(s) Date

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 and these unique circumstances are not self-created.
2. Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties that would prevent the owner from using the property for a permitted purpose.
3. Granting the variance is the minimum action necessary which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice.
4. Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.
5. Granting the variance will be generally consistent with public interest and the purposes and intent of this chapter.

Effect of Variance Approval:

1. Granting a variance shall authorize only the purpose for which it was granted.
2. The effective date of a variance shall be the date of the Zoning Board of Appeals approves such variance.
3. A building permit must be applied for within 24 months of the date of the approval of the variance, and a Certificate of occupancy must be issued within 18 months of the date the building permit was issued, otherwise the variance shall be null and void.

Reapplication:

1. No application for a variance, which has been denied wholly or in part by the Zoning Board of Appeals, shall be resubmitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions found by the Zoning Board of Appeals to be sufficient to justify consideration.

Memo

To: Charter Township of Meridian – Planning Division
From: Blaine Schultz
Date: 09/09/2022
Re: Request for Variance – 2205 Hamilton

To Whom It May Concern,

I am requesting a construction variance to build a new single family home at 2205 Hamilton Road, Okemos, MI 48864. This property was formerly subject to Floodplain restrictions per FEMA regulations. I have attached a Letter of Map Revision Floodway Determination Document (Removal) dated Aug 25, 2022, that adjusts the floodplain map, and removes the portion of the lot as detailed in the attached documents.

We are requesting a variance for the setback distance requirement to allow for construction of a ranch style home. A copy of the proposed home floorplan is attached. This floorplan is a commonly constructed home design from Mayberry Homes builders.

We are requesting a variance to reduce the setback requirement from 85 feet to 50 feet from the centerline of Hamilton Road. This variance is required, to be able to fit common home designs into the space that has now been exempted from the floodplain. Strict interpretation of the 85 foot setback rule would leave an average depth of approximately 35 feet which is too narrow for building. This variance is similar to what was grandfathered for the existing structure on the property, which is approximately 52 feet from the centerline of Hamilton Road. The average setback for 2205 Hamilton and the 2 properties to the east of 2205 is 49 feet from the centerline of Hamilton road.

Granting this variance will allow us to construct a new home similarly situated on the lot as the surrounding properties, which generally speaking, are all closer to the centerline than the current standard of 85 feet. As this new construction will have a positive effect on Township tax rolls, and likely enhance the value of the surrounding properties and is thereby generally consistent with the public interests and the purposes and intent of the Township ordinance, we respectfully request that it be granted.

We have provided a number of documents with this request, including;

The current deed to the property

The signed purchase agreement for the property, along with an extension addendum that allowed for the necessary due diligence of floodplain adjustment from FEMA and Variance approval from Meridian Township

The Survey Report for the lot conducted by KEBS, Inc. here in Mer Twp.

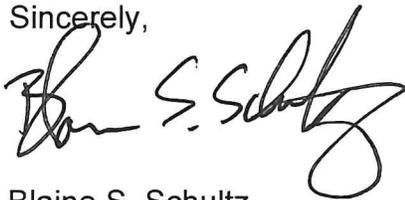
Survey report showing the depth to the floodplain line starting at 50' from the centerline of Hamilton Road

Same Survey report with proposed floorplan dimensions demonstrating the structure can be built above the floodplain if the 50' variance is granted.

A full size floorplan drawing for the proposed construction

Two letters in support of the variance being granted, from the homeowners at 2191 and 2211 Hamilton Road, respectively.

Sincerely,

A handwritten signature in black ink, appearing to read "Blaine S. Schultz". The signature is fluid and cursive, with a large loop at the end of the last name.

Blaine S. Schultz
4496 Oakwood Drive
Okemos, MI 48864



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION FLOODWAY DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION

LEGAL PROPERTY DESCRIPTION

COMMUNITY	CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN	A portion of Lots 55 and 56, Supervisors Plat No. 2, as described in the Warranty Deed recorded in Liber 1118, Page 742, in the Office of the Register of Deeds, Ingham County, Michigan The portion of property is more particularly described by the following metes and bounds:
	COMMUNITY NO.: 260093	
AFFECTED MAP PANEL	NUMBER: 26065C0158D	
	DATE: 8/16/2011	

FLOODING SOURCE: RED CEDAR RIVER

APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 42.718258, -84.432277
SOURCE OF LAT & LONG: LOMA LOGIC
DATUM: NAD 83

DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
55-56	--	Supervisors Plat No. 2	2205 Hamilton Road	Portion of Property	X (shaded)	--	--	843.3 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION
INADVERTENT INCLUSION FLOODWAY 1
STATE LOCAL CONSIDERATIONS

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Revision for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the NFIP regulatory floodway or the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document revises the effective NFIP map to remove the subject property from the NFIP regulatory floodway and the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION FLOODWAY DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

Beginning at the Northeasterly corner of said Lot 56; thence S54°54'52"W along the Southeasterly line of said Lot 56 a distance of 64.58 feet; thence N52°05'30"W 6.33 feet; thence N68°18'23"W 29.14 feet; thence N47°29'42"W 22.48 feet; thence N67°20'23"W 24.36 feet to the Northwesterly line of the Easterly 8 feet of said Lot 55; thence N54°21'10"E along said Northwesterly line 99.19 feet to the Northeasterly line of said Lot 56; thence S35°53'27"E along the Northeasterly line of said Lots 55 & 56 a distance of 73.97 feet to the point of beginning

INADVERTENT INCLUSION IN THE FLOODWAY 1 (PORTIONS OF THE PROPERTY REMAIN IN THE FLOODWAY) (This Additional Consideration applies to the preceding 1 Property.)

A portion of this property is located within the National Flood Insurance Program (NFIP) regulatory floodway for the flooding source indicated on the Determination Document, while the subject of this determination is not. The NFIP regulatory floodway is the area that must remain unobstructed in order to prevent unacceptable increases in base flood elevations. Therefore, no construction may take place in an NFIP regulatory floodway that may cause an increase in the base flood elevation, and any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. The NFIP regulatory floodway is provided to the community as a tool to regulate floodplain development. Therefore, the NFIP regulatory floodway modification described in the Determination Document, while acceptable to the Federal Emergency Management Agency (FEMA), must also be acceptable to the community and adopted by appropriate community action, as specified in Paragraph 60.3(d) of the NFIP regulations. Any proposed revision to the NFIP regulatory floodway must be submitted to FEMA by community officials. The community should contact either the Regional Director (for those communities in Regions I-IV, and VI-X), or the Regional Engineer (for those communities in Region V) for guidance on the data which must be submitted for a revision to the NFIP regulatory floodway. Contact information for each regional office can be obtained by calling the FEMA Mapping and Insurance eXchange toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <http://www.fema.gov/about/regoff.htm>.

STATE AND LOCAL CONSIDERATIONS (This Additional Consideration applies to all properties in the LOMR-FW DETERMINATION DOCUMENT (REMOVAL))

Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

When making determinations on requests for Letters of Map Amendment (LOMAs), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that removal of a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property is not subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This does not mean the property is not subject to other flood hazards. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the effective National Flood Insurance Program (NFIP) map.

The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision, that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

The LOMA provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMA is not a building permit, nor should it be construed as such. Any development, new construction, or substantial improvement of a property impacted by a LOMA must comply with all applicable State and local criteria and other Federal criteria.

If a lender releases a property owner from the flood insurance requirement, and the property owner decides to cancel the policy and seek a refund, the NFIP will refund the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy during the current policy year. The property owner must provide a written waiver of the insurance requirement from the lender to the property insurance agent or company servicing his or her policy. The agent or company will then process the refund request.

Even though structures are not located in an SFHA, as mentioned above, they could be flooded by a flooding event with a greater magnitude than the base flood. In fact, more than 25 percent of all claims paid by the NFIP are for policies for structures located outside the SFHA in Zones B, C, X (shaded), or X (unshaded). More than one-fourth of all policies purchased under the NFIP protect structures located in these zones. The risk to structures located outside SFHAs is just not as great as the risk to structures located in SFHAs. Finally, approximately 90 percent of all federally declared disasters are caused by flooding, and homeowners insurance does not provide financial protection from this flooding. Therefore, FEMA encourages the widest possible coverage under the NFIP.

LOMAENC-1 (LOMA Removal)

LOMAs are based on minimum criteria established by the NFIP. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If a State, county, or community has adopted more restrictive and comprehensive floodplain management criteria, these criteria take precedence over the minimum Federal criteria.

In accordance with regulations adopted by the community when it made application to join the NFIP, letters issued to amend an NFIP map must be attached to the community's official record copy of the map. That map is available for public inspection at the community's official map repository. Therefore, FEMA sends copies of all such letters to the affected community's official map repository.

When a restudy is undertaken, or when a sufficient number of revisions or amendments occur on particular map panels, FEMA initiates the printing and distribution process for the affected panels. FEMA notifies community officials in writing when affected map panels are being physically revised and distributed. In such cases, FEMA attempts to reflect the results of the LOMA on the new map panel. If the results of particular LOMAs cannot be reflected on the new map panel because of scale limitations, FEMA notifies the community in writing and revalidates the LOMAs in that letter. LOMAs revalidated in this way usually will become effective 1 day after the effective date of the revised map.



Federal Emergency Management Agency

Washington, D.C. 20472

August 25, 2022

THE HONORABLE PATRICIA HERRING
JACKSON
SUPERVISOR, TOWNSHIP BOARD
CHARTER TOWNSHIP OF MERIDIAN
5151 MARSH ROAD
OKEMOS, MI 48864

CASE NO.: 22-05-2834A
COMMUNITY: CHARTER TOWNSHIP OF MERIDIAN,
INGHAM COUNTY, MICHIGAN
COMMUNITY NO.: 260093

DEAR MS. HERRING JACKSON:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Revision (LOMR) Floodway Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMRs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.

Sincerely,

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

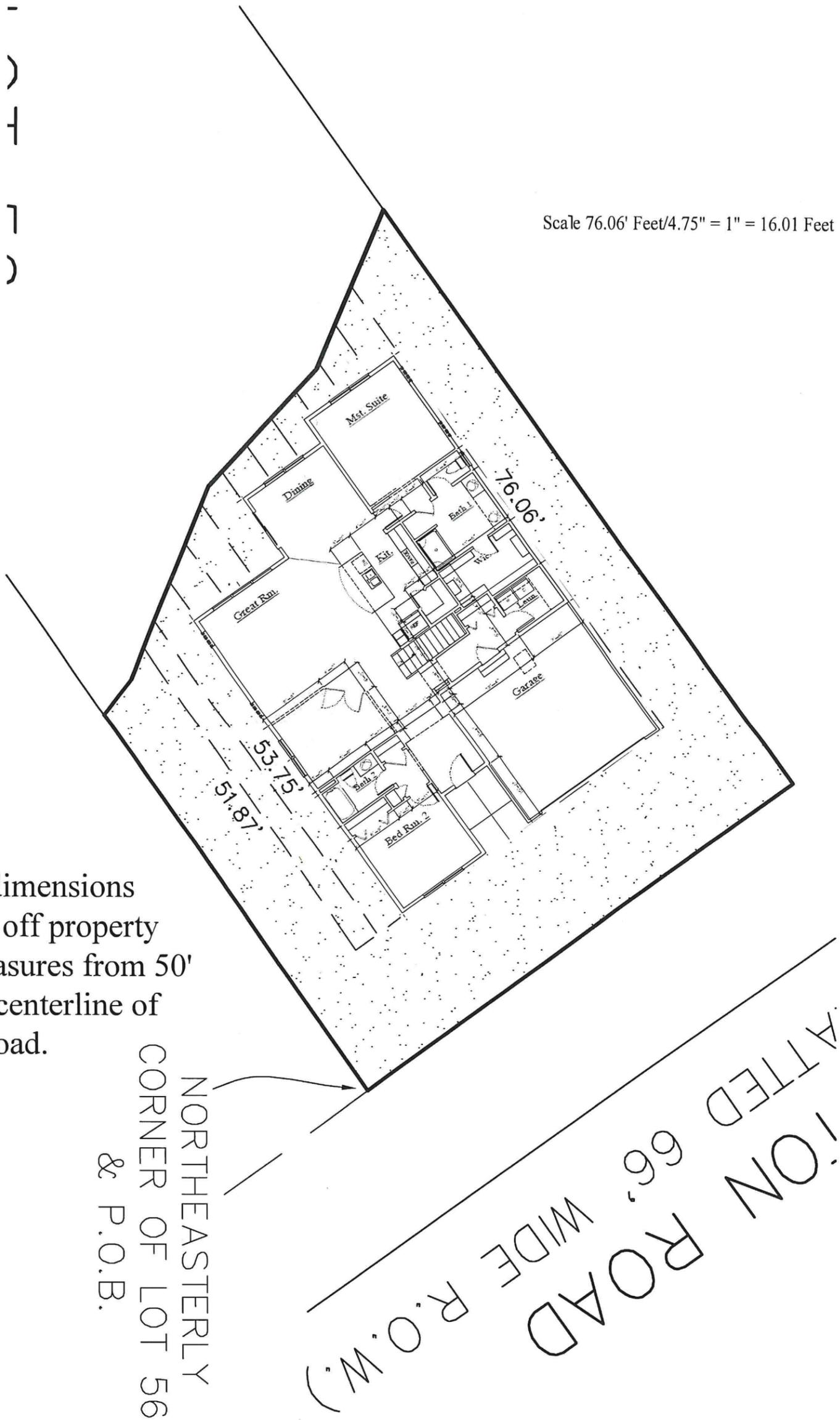
LIST OF ENCLOSURES:

LOMR-FW DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region
Mr. Blaine Schultz

-
)
+
1
)

Scale 76.06' Feet/4.75" = 1" = 16.01 Feet



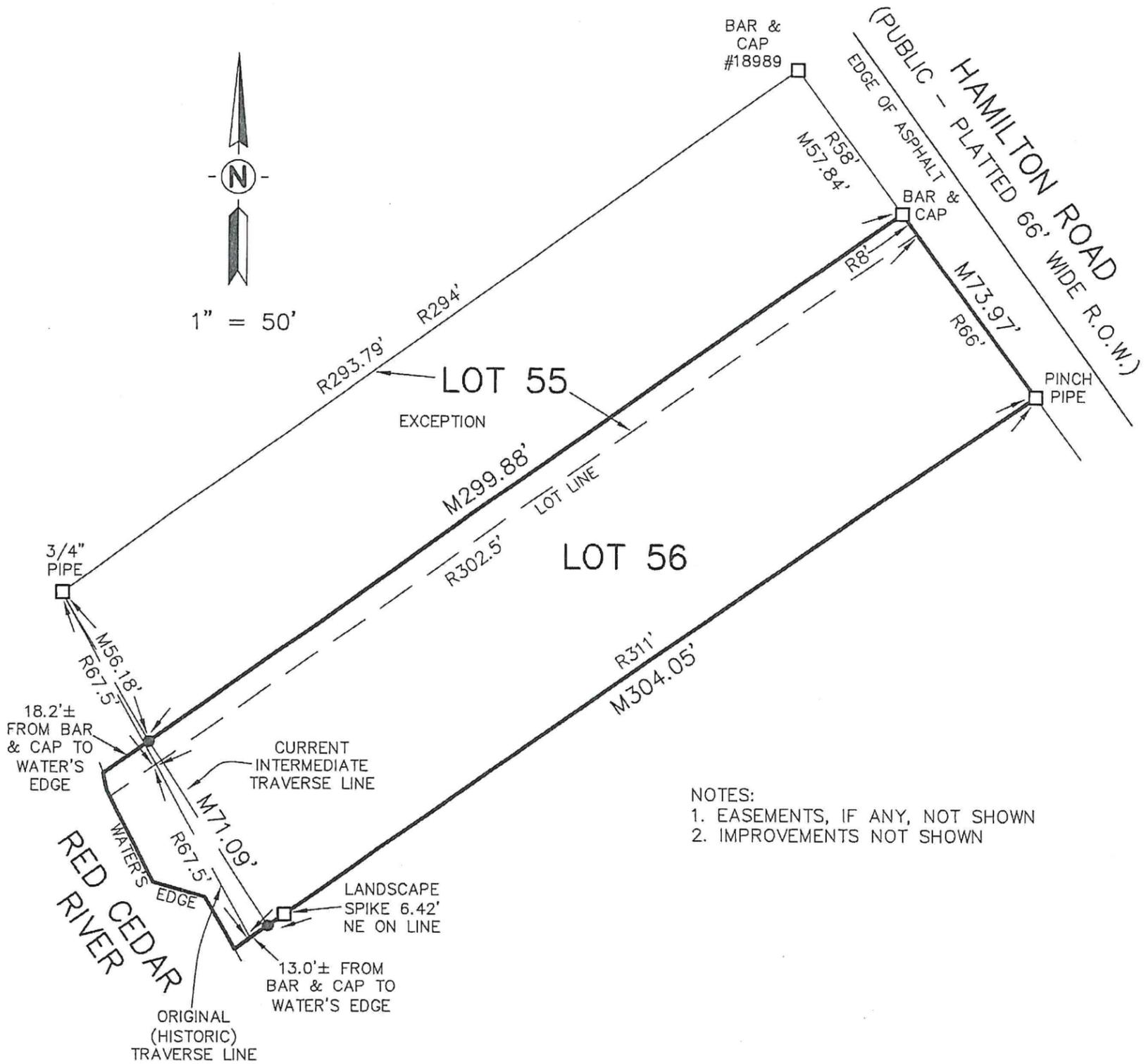
This set of dimensions begins 10 ft off property line and measures from 50' offset from centerline of Hamilton Road.

LOT SURVEY

For:
Blaine Schultz
4496 Oakwood
Okemos, MI 48864

Survey Address:
2205 Hamilton Road
Okemos, MI 48864
Tax ID# 33-02-02-21-327-006

Legal Description (as provided): Lot 55 except the West 58 feet & entire Lot 56, Supervisor's Plat No. 2 of Okemos, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 4 of Plats, Page 41, Ingham County Records.



- NOTES:
1. EASEMENTS, IF ANY, NOT SHOWN
2. IMPROVEMENTS NOT SHOWN

I hereby certify only to the parties hereon that we have surveyed, at the direction of said parties, the above described lot, and that we have found or set, as noted hereon, permanent markers to all corners of said lot and that all visible encroachments of a permanent nature upon said lot are as shown on this survey. Said lot subject to all easements and restrictions of record.

- R = Recorded Distance
- M = Measured Distance
- = Distance Not to Scale
- = Deed Line
- = Set 1/2" Bar with Cap
- = Found Iron as Noted
- ▨ = Concrete, Asphalt, Deck, and Porch
- *-* = Fence
- 0.0'± = Denotes Distance to the Survey Line

Erick R. Friestrom
ERICK R. FRIESTROM
PROFESSIONAL SURVEYOR

07-19-2022
DATE
NO. 53497



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

DRAWN BY KDB

SECTION 21, T4N, R1W

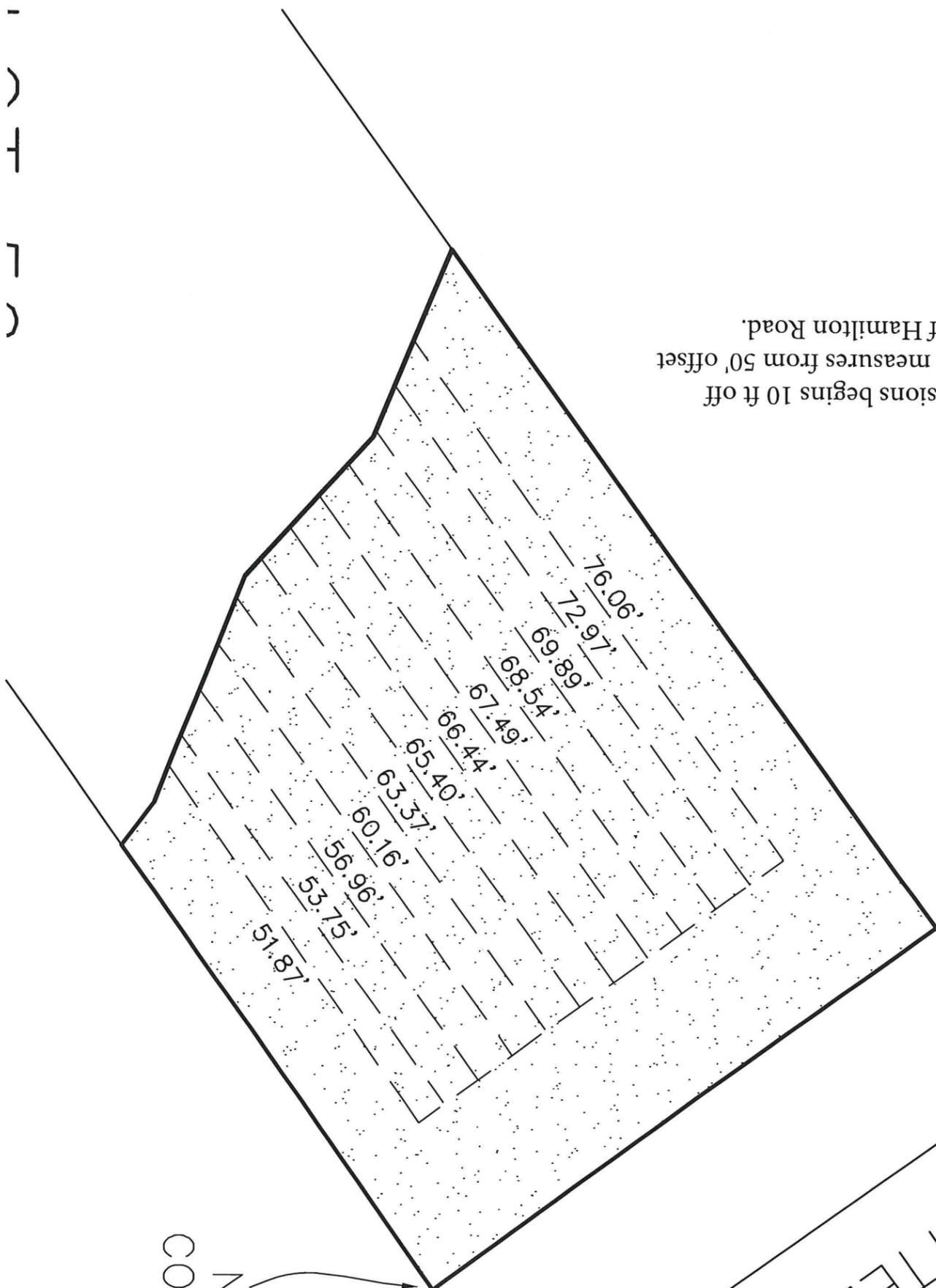
FIELD WORK BY KC

JOB NUMBER:

SHEET 1 OF 1

100078.LOT

This set of dimensions begins 10 ft off
property line and measures from 50' offset
from centerline of Hamilton Road.

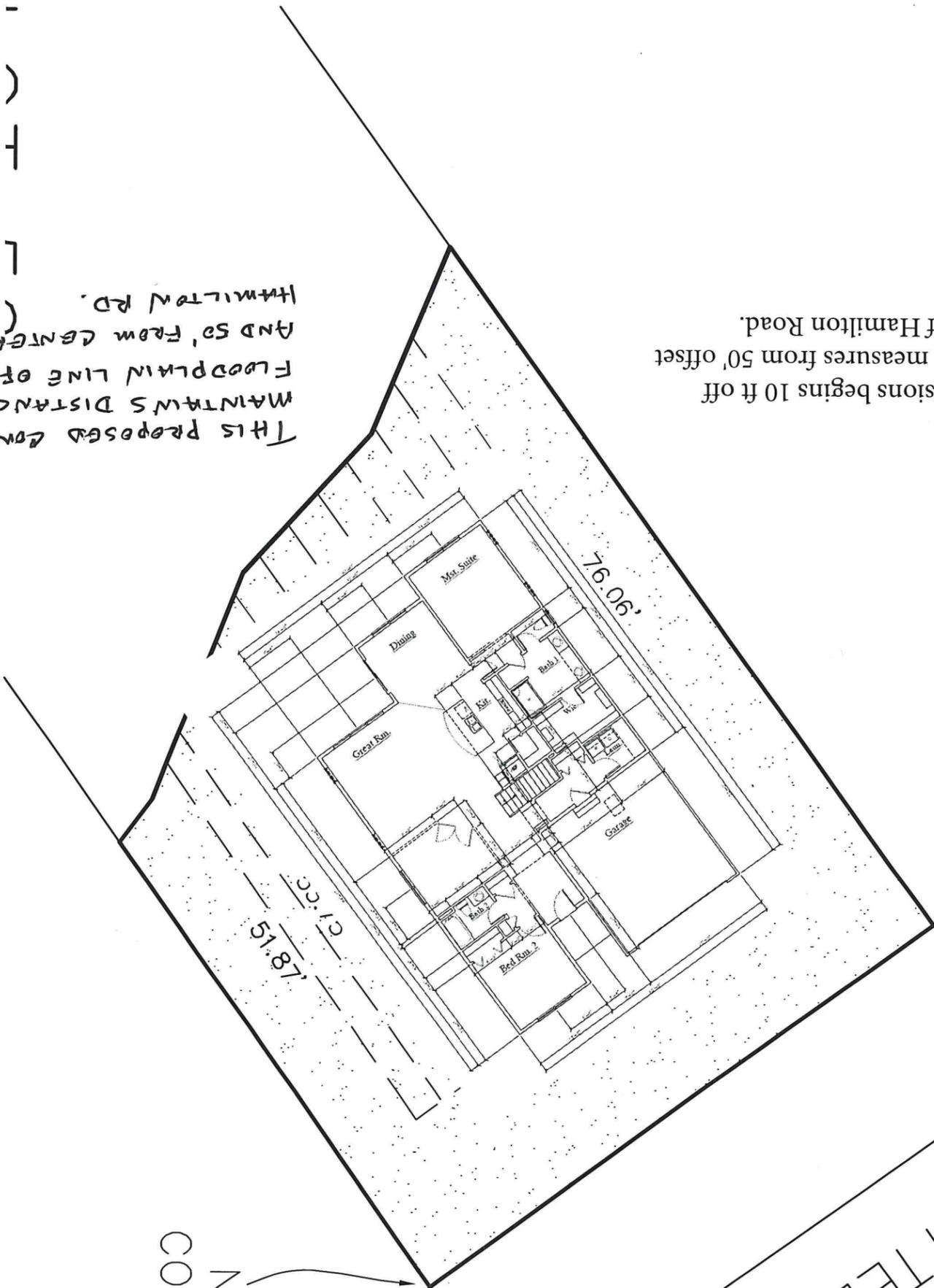


NORTHEASTERLY
CORNER OF LOT 56
& P.O.B.

HAMILTON ROAD
66' WIDE R.O.W.)

(
F
L
)

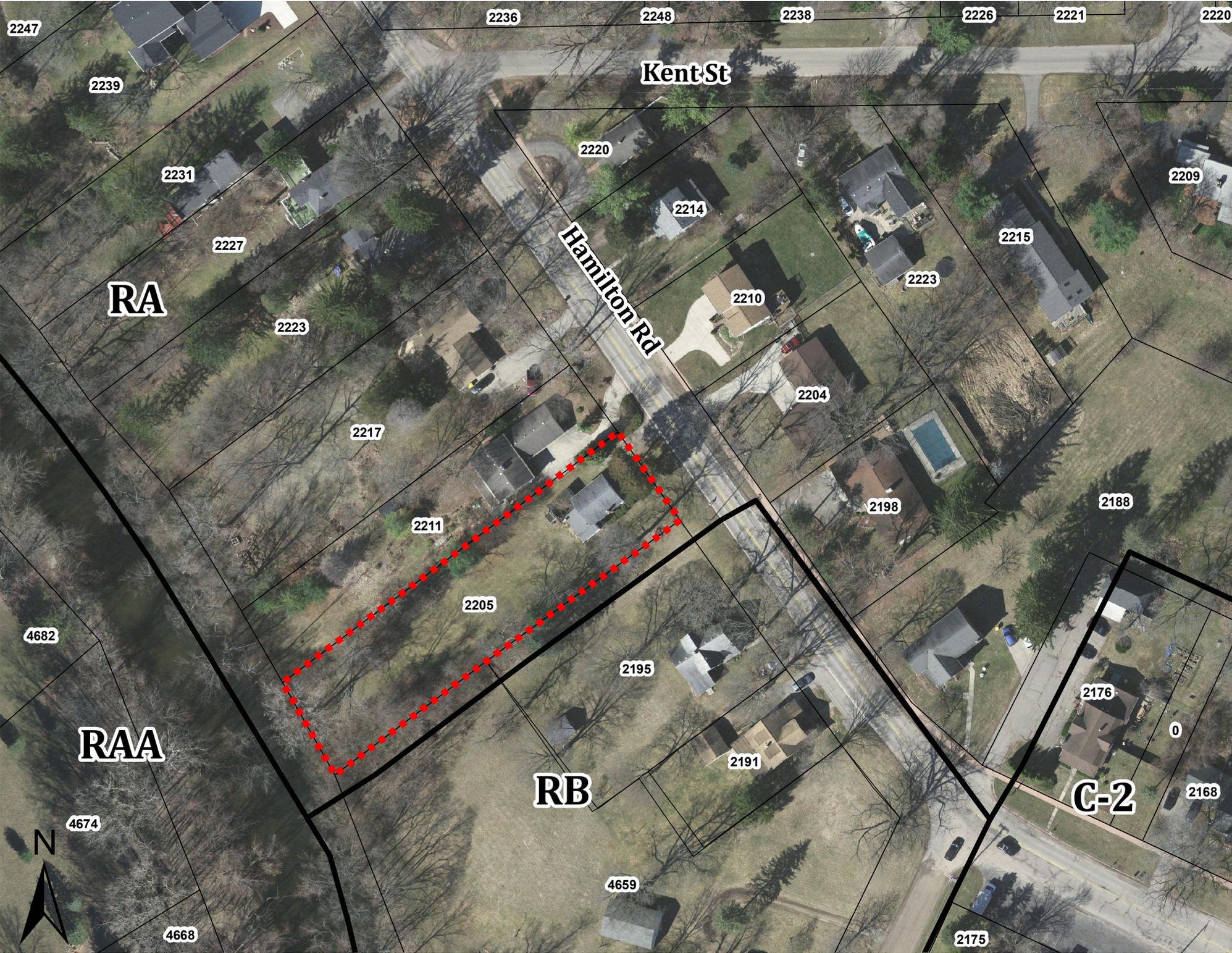
This set of dimensions begins 10 ft off
property line and measures from 50' offset
from centerline of Hamilton Road.



This proposed construction
maintains distance from
floodplain line of 5' to 15'
and 50' from centerline of
Hamilton Rd.

NORTHEASTERLY
CORNER OF LOT 56
& P.O.B.

ION ROAD
66' WIDE R.O.W.)
ATTED



2247

2239

2231

2227

2223

2217

2211

2205

4682

4674

4668

2236

2248

2238

2226

2221

2220

Kent St

Hamilton Rd

2220

2214

2210

2204

2223

2215

2209

RA

RAA

RB

C-2

2195

2191

2198

2176

0

2168

4659

2175





To: Zoning Board of Appeals
From: Keith Chapman, Assistant Planner
Date: October 12, 2022
Re: ZBA Case No. 22-10-19-2 (Smith)

ZBA CASE NO.: 22-10-19-2 (Smith), 4810 Arapaho Trail, Okemos, MI 48864
DESCRIPTION: 4810 Arapaho Trail
TAX PARCEL: 20-281-015
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 640 square foot deck in the floodplain at 4810 Arapaho Trail. The approximate 0.558-acre site is zoned RAA (Single Family, Low Density).

The site plan shows an existing 2-story, 3,296 square foot single family house built in 1975. The proposed deck is 20 feet by 32 feet for a total of 640 square feet and is located on the east side of the house. The deck will be 80 feet from the rear property line. The rear yard setback in the RAA (Single Family, Low Density) district is 30 feet. 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.

In 1995 a variance was granted to allow the construction of a garage addition in the floodway (ZBA #95-11-15-4) and in 2003 a variance was granted to allow an addition to the front porch (ZBA #03-10-08-1).

The applicant has received approval for a permit from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to construct the deck. EGLE stated the deck will need to be anchored to prevent flotation or lateral movement.

Zoning Board of Appeals
October 11, 2022
RE: ZBA Case No. 22-10-19-2 (Smith)
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 five 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 EGLE permit.

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 Aaron Smith & Jessica Dietrich
Address of Applicant 4810 Arapaho Trail Okemos MI 48864
4810 Arapaho Trail Okemos MI 48864
Telephone (Work) 5624776883 Telephone (Home) 5624771757
Fax _____ Email address: aaron@growdata.com
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 4810 Arapaho Trail Okemos MI 48864
Zoning district 04N01W20 Parcel number 33-02-02-20-281-015

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. <u>Required Supporting Material</u>	<u>Supporting Material if Applicable</u>
-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)	

 _____ Aaron Smith _____ 9/22/22
Signature of Applicant Print Name Date

Fee: \$250 Received by/Date: 9/22/2022 

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.)

 _____ 9/22/22 _____
Signature of Applicant(s) Date

Signature of Applicant(s) Date

The following four criteria must be met in addition to those stipulated in § 86-221 before a variance can be granted:

- a. A sufficient cause for granting the variance must be shown.

We are proposing the 32'x20' deck as a level place to put an outdoor dining table, hot tub, bbq, heater, etc.... The current back yard space has an uneven pre-existing cement pad and grass area that looks incomplete and is not anchored to the home so it would become more uneven over time. The cement pad has cracking as it is over 30 years old. We are proposing to build a deck over this, anchored to the home with a sealed basement so it will be a level surface we can enjoy.

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

The deck would provide a level surface to place a hot tub/jacuzzi, dining table, bbq and a few other items. Without it, the surface that currently exists is not level and does not support a back yard space.

- 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.

The displacement of 1.5 cubic meters of earth within the 100 year flood plain will not increase the flood height nor will it be a threat to public safety. There is 0 public expense because this is a private residence.

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

The 32'x20' deck keeps us within the boundaries of the existing retaining wall so the natural preexisting run off paths are not altered. The deck fits our hot tub, outdoor dining table and bbq and gives us a small amount of level room to place an outdoor heater.

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 and these unique circumstances are not self-created.

Currently there is a cement pad that is about half the size of the proposed deck. This cement pad previously had a structure built on top of it that contained a hot tub with pool plumbing into the basement. This will now be sealed so the proposed tub will sit on the deck without

plumbing into the basement. The land itself is uneven and shifts due to erosion and being in a swamp. The proposed deck will be anchored to the house so that the back yard 'level area' will stay level and allow us to enjoy our backyard for years to come.

2. Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties that would prevent the owner from using the property for a permitted purpose.

If any displacement of the 100 year flood plain is not allowed then we would not be able to build the deck. The proposed pylons only displace 1.5 cubic meters of material and the state was ok with this amount based on the type of land we are on (erosion vulnerable wetland).

3. Granting the variance is the minimum action necessary which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice.

This deck is the minimum size that would fit within the existing retaining wall built at the time the home was constructed. Any longer and the deck would extend past the retaining wall and affect existing water run off channels and any wider, it would cover the planters and retaining wall barrier, therefore making the wall less effective. This is why we are proposing this 32'x20' as the minimum action necessary.

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

The proposed deck is within the existing footprint of the retaining wall and does not extend outwards or further than the retaining wall and second garage per the schematic we provided. This area is essentially a flat 'backyard' and the top tier of a 3 tier back yard. The proposed deck clearly marks this top tier and anchors it to the house so rather than adversely affecting the essential character of the property, it enhances it so that it can be enjoyed by future buyers/owners.

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

The deck will clean up the appearance of the back of the property and create a more marketable, uniform, tiered and anchored backyard space that will have both functionality and minimal impact to the flood plain.

LOT SURVEY

For:
 Aaron Smith
 4810 Arapaho Trail
 Okemos, MI 48864

Survey Address:
 4810 Arapaho Trail
 Okemos, MI 48864
 Tax ID# 33-02-02-20-281-015

Legal Description (as provided): Lot 99, Lot 100, and the North 7.00 feet of Lot 101, Indian Lakes Estates No. 3, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof as recorded in Liber 29 of Plats, Page 37, Ingham County Records.

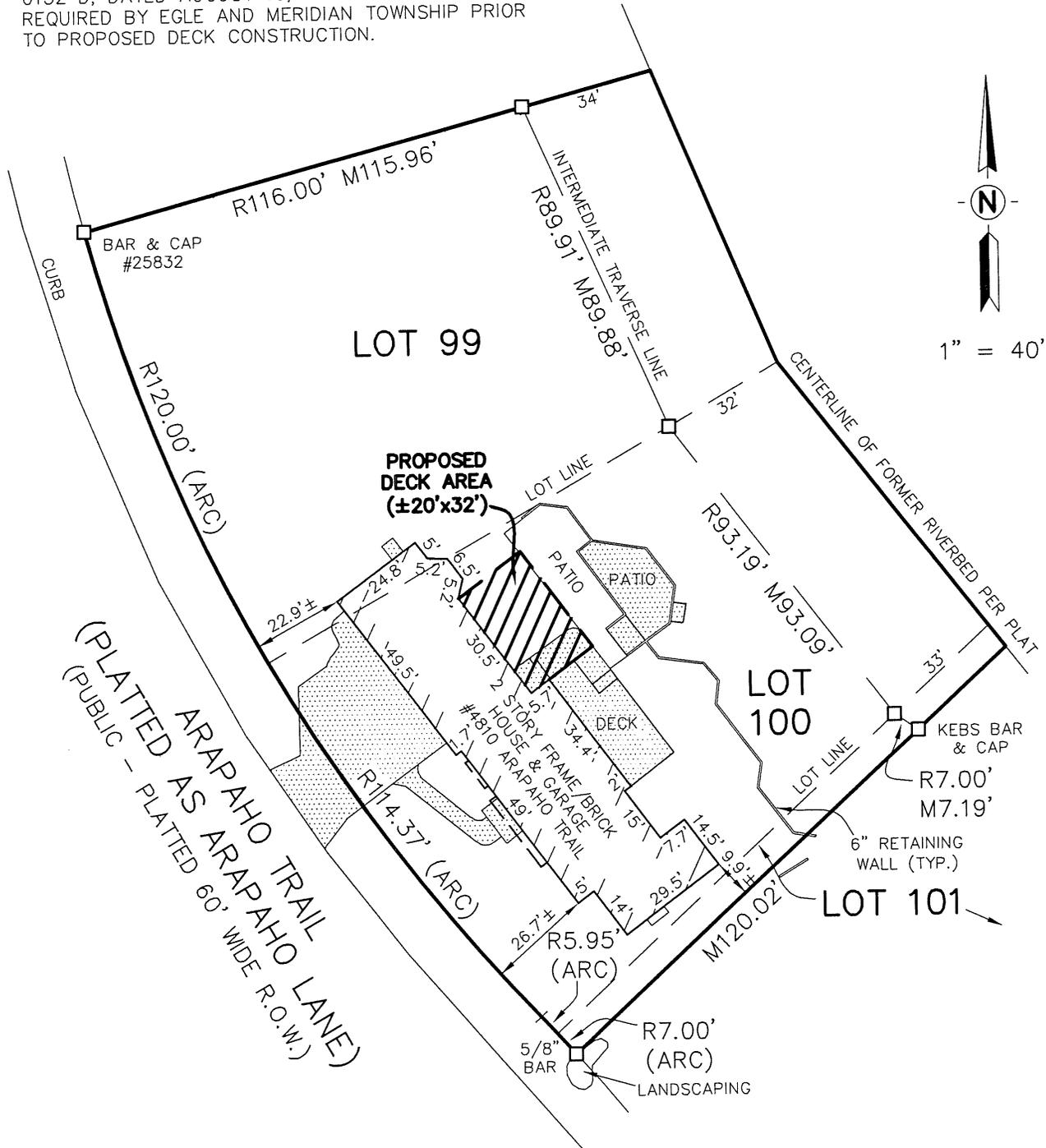
NOTES:

1. EASEMENTS, IF ANY, NOT SHOWN
2. BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN THE FLOODWAY ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP FOR THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN, COMMUNITY PANEL NO. 260093 0152 D, DATED AUGUST 16, 2011. PERMITS WILL BE REQUIRED BY EGLE AND MERIDIAN TOWNSHIP PRIOR TO PROPOSED DECK CONSTRUCTION.

BUILDING COVERAGE AREA = 3,069.0 S.F.
 ADDITIONAL COVERAGE AREA
 (PATIO, DECK, CONC.) = 2,742.2 S.F.
 TOTAL COVERAGE AREA = 5811.2 S.F.

LOT AREA = 32,049.2 S.F.
 LOT COVERAGE AREA = 18.1%

ADDITIONAL COVERAGE FROM PROPOSED DECK = 460.1 S.F.
 PROPOSED LOT COVERAGE AREA = 19.6%



I hereby certify only to the parties hereon that we have surveyed, at the direction of said parties, the above described lot, and that we have found or set, as noted hereon, permanent markers to all corners of said lot and that all visible encroachments of a permanent nature upon said lot are as shown on this survey. Said lot subject to all easements and restrictions of record.

- R = Recorded Distance
- M = Measured Distance
- = Distance Not to Scale
- = Deed Line
- = Set 1/2" Bar with Cap
- = Found Monument Unless Noted
- ▨ = Concrete, Asphalt, Deck, and Porch
- * * = Fence
- 0.0'± = Denotes Distance to the Survey Line

Dane B. Pascoe
DANE B. PASCOE
 PROFESSIONAL SURVEYOR
 DATE 8/15/22
 No. 54434

	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	
DRAWN BY	KDB	SECTION 20, T4N, R1W
FIELD WORK BY	KC	JOB NUMBER:
SHEET	1 OF 1	100292.LOT

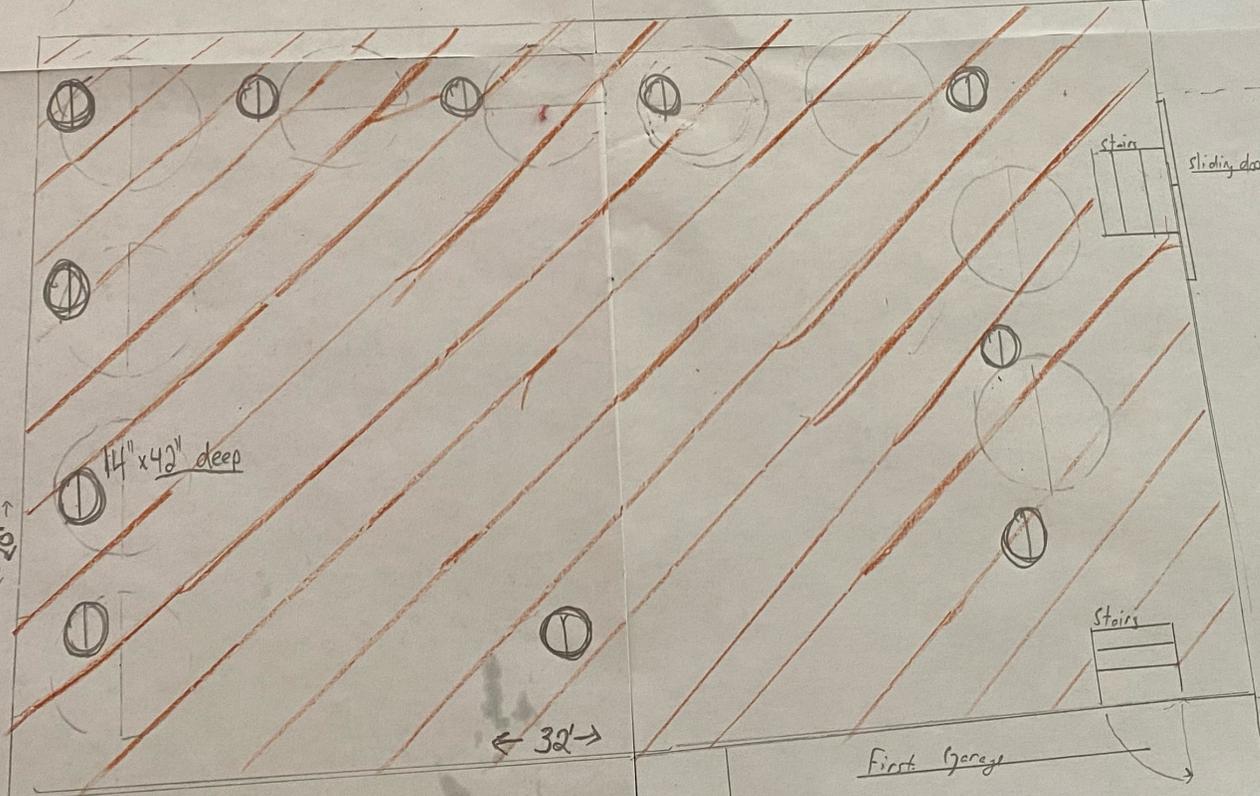
Heron Creek

Heron Creek

Back yard

Lower existing patio

Kitchen Wall



Sliding door

Stairs

3 season Room

14' x 42' deep

← 20' →

← 32' →

Stairs

Hovel (Mod Room)

First Garage

3rd garage

3rd garage

EGLE-WRD
 WRP035107 v1.0
 Approved
 Issued On: 09/21/2022
 Expires On: 09/21/2023



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
WATER RESOURCES DIVISION
PERMIT

Issued To:

Aaron Smith
4810 Arapaho Trail
Okemos, Michigan 48864

Permit No: WRP035107 v.1
Submission No.: HPM-52QQ-DZW2N
Site Name: 33-4810 Arapaho Trail-Okemos
Issued: September 21, 2022
Revised:
Expires: September 21, 2027

This permit is being issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); specifically:

- Part 301, Inland Lakes and Streams
- Part 303, Wetlands Protection
- Part 315, Dam Safety
- Part 31, Water Resources Protection (Floodplain Regulatory Authority)
- Part 323, Shorelands Protection and Management
- Part 325, Great Lakes Submerged Lands
- Part 353, Sand Dunes Protection and Management

EGLE certifies that the activities authorized under this permit are in compliance with the State Coastal Zone Management Program and certifies without conditions under the Federal Clean Water Act, Section 401 that the discharge from the activities authorized under this permit will comply with Michigan’s water quality requirements in Part 31, Water Resources Protection, of the NREPA and associated administrative rules, where applicable.

Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:

Authorized Activity:

Install a 20-foot by 32-foot deck elevated above 11 pilings that are 14 inches in diameter within the 100-year floodplain of Herron Creek.

Waterbody Affected: Waterbody Name
Property Location: Ingham County, Meridian Charter Township,
Town/Range/Section 04N01W20, Property Tax No. 33-02-02-20-281-015

EGLE-WRD
WRP035107 v1.0
Approved
Issued On:09/21/2022
Expires On:09/21/2027

Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with 2013 PA 174 (Act 174) and comply with each of the requirements of Act 174.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify EGLE within one week after the completion of the activity authorized by this permit.
- J. This permit shall not be assigned or transferred without the written approval of EGLE.
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31 of the NREPA, and wetlands).
- M. In issuing this permit, EGLE has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, EGLE may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the state: (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the state, and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act, 1969 PA 306, as amended, challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, EGLE may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from EGLE. Such revision request shall include complete documentation supporting the modification and revised plans detailing the

proposed modification. Proposed modifications must be approved, in writing, by EGLE prior to being implemented.

- Q. This permit may be transferred to another person upon written approval of EGLE. The permittee must submit a written request to EGLE to transfer the permit to the new owner. The new owner must also submit a written request to EGLE to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all the above information may be provided to EGLE. EGLE will review the request and, if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
1. Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit <https://www.michigan.gov/egle/about/organization/water-resources/soil-erosion/sesc-overview> and select "Soil Erosion and Sedimentation Control Agencies".
 2. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.

3. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.
4. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.
5. The permit placard shall be kept posted at the work site in a prominent location at all times for the duration of the project or until permit expiration.
6. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by EGLE, will be for a five-year period beginning on the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.
7. The design flood or 1% annual chance (100-year) floodplain elevation at this location on Herron Creek is 842.1 feet NAVD88.
8. Dredging is not authorized by this permit.
9. Filling is not authorized by this permit.
10. Any other filling, grading, or construction within the 100-year floodplain will require a separate EGLE permit before starting the work.
11. The structure shall be firmly anchored to prevent flotation or lateral movement.
12. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
13. Fill shall not be placed to prevent surface water drainage across the site. Site runoff shall be directed to public or natural drainage ways and not unnaturally discharged onto adjacent properties.



Issued By: _____
Minh-Huy Radics
Lansing District Office
Water Resources Division
517-243-3105

THIS PERMIT MUST BE SIGNED BY THE PERMITTEE TO BE VALID.

I hereby assure that I have read, am familiar with, and agree to adhere to the terms and conditions of this permit.

Permittee Signature

Date

cc: Meridian Charter Township Clerk
Ingham County Drain Commissioner



NOTICE OF AUTHORIZATION

Permit Number: WRP035107 v. 1
Site Name: 33-4810 Arapaho Trail-Okemos

Date Issued: September 21, 2022
Expiration Date: September 21, 2027

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, P.O. Box 30458, Lansing, Michigan 48909-7958, under provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; specifically:

Part 31, Floodplain Regulatory Authority of the Water Resources Protection.

Authorized activity:

Install a 20-foot by 32-foot deck elevated above 11 pilings that are 14 inches in diameter within the 100-year floodplain of Herron Creek.

To be conducted at property located in: Ingham County, Waterbody: Herron Creek
Section 20, Town 04N, Range 01W, Meridian Charter Township

Permittee:
Aaron Smith
4810 Arapaho Trail
Okemos, Michigan 48864

Minh-Huy Radics
Lansing District Office
Water Resources Division
517-243-3105

*This notice must be displayed at the site of work.
Laminating this notice or utilizing sheet protectors is recommended.*
Please refer to the above permit number with any questions or concerns.

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