



**AGENDA**  
CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING  
March 28, 2018 6:30 pm



1. CALL MEETING TO ORDER\*
2. APPROVAL OF THE AGENDA
3. ELECTION OF OFFICERS
4. CORRECTIONS, APPROVAL AND RATIFICATION OF MINUTES
  - A. Wednesday, February 14, 2018
5. COMMUNICATIONS
  - A. John Booth & Rosemary O'Brian, 2564 Koala Drive, RE: ZBA #18-02-14-1
  - B. Ronald & Beverly Bishop, 2576 Koala Drive, RE: ZBA #18-02-14-1
  - C. Laurie Ludington, 2558 Koala Drive, RE: ZBA #18-02-14-1
  - D. Linda Becker, 2540 Koala Drive, RE: ZBA #18-02-14-1
  - E. Odd Fellows Contracting Inc., 996 Glaser Road, Williamston, MI , RE: ZBA #18-02-14-1
6. UNFINISHED BUSINESS
7. NEW BUSINESS

**A. ZBA CASE NO. 18-02-14-1 (COMPARONI), 2569 KOALA DRIVE, EAST LANSING, MI, 48823**

DESCRIPTION:	2569 Koala Drive
TAX PARCEL:	17-280-015
ZONING DISTRICT:	RA (Single Family, Medium Density)

The applicants are requesting the Zoning Board of Appeals (ZBA) to rehear a previously denied variance in accordance with the following section of the Code of Ordinances:

Section 86-225 – No application, which has been denied wholly or in part by the Zoning Board of Appeals, shall be resubmitted until the expiration of one year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed circumstances found by the Zoning Board of Appeals to be sufficient to justify consideration.

If the ZBA decides to rehear the case then the request is for variances from the following sections of the Code of Ordinances:

Section 86-373(e)(5)(c). Rear Yard. For lots up to 150 feet in depth, the rear yard shall not be less than 30 feet in depth.

Section 86-373(e)(4). Maximum Lot Coverage. All buildings including accessory buildings shall not cover more than 30% of the total lot area.

The applicant is requesting to construct a 235 square foot building addition with the closest point being 1 foot from the rear property line.

**B. ZBA CASE NO. 18-03-28-1 (MILLER), 292 EAST SHOESMITH ROAD, HASLETT, MI, 48840**

DESCRIPTION: 6115 Marsh Road  
TAX PARCEL: 03-326-018  
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)(a). Front yards. In accordance with the setback requirements of Section 86-367 for the type of street upon which the lot fronts. 100 Feet.

The applicant is requesting to construct a 400 square foot attached garage with the closest point being 94.7 feet from the centerline right of way.

**C. ZBA CASE NO. 18-03-28-2 (MARQUIE & PETERSON), 4565 HAWTHORNE LANE, OKEMOS, MI, 48864**

DESCRIPTION: 4565 Hawthorne Lane  
TAX PARCEL: 20-378-008  
ZONING DISTRICT: RR (Rural Residential)

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.

The applicant is requesting to construct a 280 square foot accessory building (garage) that will project 125 feet into the front yard.

---

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

Providing a safe and welcoming, sustainable, prime community.



**D. ZBA CASE NO. 18-03-28-3 (FEARON), 4749 CENTRAL PARK DRIVE SUITE B, OKEMOS, MI, 48864**

DESCRIPTION: 4749 Central Park Drive Suite B  
TAX PARCEL: 22-401-008  
ZONING DISTRICT: C-2 (Commercial)

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

Section 86-402(17). Maximum percentage of impervious surface permitted on a site shall be seventy percent (70%). Impervious surfaces shall include all land covered with paving and buildings. The impervious surface shall be calculated by dividing the total impervious surface by the gross area of the site.

The applicant is requesting to construct a 180 square foot deck addition that will increase the impervious surface of the site to 75.03 percent.

8. OTHER BUSINESS
9. PUBLIC REMARKS
10. BOARD MEMBER COMMENTS
11. ADJOURNMENT
12. POSTSCRIPT – Brian Beauchine

---

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

Providing a safe and welcoming, sustainable, prime community.



**CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING MINUTES \*\*\*DRAFT\*\*\*  
5151 MARSH ROAD, OKEMOS MI 48864-1198  
517.853.4000  
WEDNESDAY, February 14, 2018**

PRESENT: Members Jackson, Ohlrogge, Rios, Lane, Chair Beauchine

ABSENT: None

STAFF: Peter Menser, Principal Planner, and 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 OHLROGGE MOVED TO APPROVE THE AGENDA.

SECONDED BY MEMBER JACKSON.

VOICE VOTE: Motion carried unanimously.

**C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES**

Wednesday, January 10, 2018

MEMBER LANE MOVED TO APPROVE THE MINUTES OF WEDNESDAY JANUARY 10, 2018 AS WRITTEN.

SECONDED BY CHAIR BEAUCHINE.

VOICE VOTE: Motion carried unanimously.

**D. COMMUNICATIONS**

**E. UNFINISHED BUSINESS**

None.

**F. NEW BUSINESS**

**1. ZBA CASE NO. 17-10-11-1 (DITTY), 6143 COTTAGE DRIVE, HASLETT, MI, 48840**

DESCRIPTION:	6143 Cottage Drive
TAX PARCEL:	02-401-009
ZONING DISTRICT:	RB (Single Family, High Density), Lake Lansing Overlay

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

Section 86-442 (f)(5)(a), Front yard. The front yard setback shall not be less than 20 feet from the street line.

The applicant is requesting to construct a 552 square foot attached garage in the front yard setback.

Chair Beauchine stated CASE NO. 17-10-11-1 (DITTY), is a request for the Zoning Board of Appeals (ZBA) to rehear a previously denied variance. The ZBA will need to determine if there has been a significant change in order to rehear the case.

Assistant Planner Chapman outlined the case for decision.

Member Ohlrogge stated there has been a significant change to the request and warrant discussion.

MEMBER OHLROGGE MOVED TO REHEAR THE CASE.

SECONDED BY MEMBER RIOS.

ROLL CALL TO VOTE: YES: Members, Ohlrogge, Rios, Jackson, Lane, and Chair Beauchine  
NO: None  
Motion carried unanimously.

Chair Beauchine asked the applicant or the applicant's representative if they would like to address the ZBA.

Mr. William Ditty, the applicant, 6143 Cottage Drive, Haslett, stated he believed the new plan would address the minimum size for a garage (23 feet x 24 feet), parking and safety issues the ZBA had with the original request.

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

Member Rios asked Mr. Ditty where he is currently parking his vehicles.

Mr. Ditty replied across the street on a lot he owns.

Member Ohlrogge asked the applicant the location of floodplain in relation to the lot.

Mr. Ditty answered he was not in a floodplain.

Chair Beauchine added the Ingham County Drain Commissioner controls the level of the lake.

Mr. Ditty commented the top soil had eroded overtime and he planned to replace the soil up to two feet.

Member Jackson stated she understood the request for a garage but questioned whether having a garage attached to the front of the house was necessary. She added there are other areas available where a garage could be built.

Member Lane stated to keep the garage on the same property as the house it appears a vehicle would need to drive around the house to the lake side (rear yard) where a garage could be built. In winter that may not be practical.

Chair Beauchine stated the previous owner of the subject property, did not follow through on the original variance. He added the current request to build a garage on the lot with the house should be dealt with separately from the garage across the street.

Member Jackson said her question was whether or not attaching the garage to house created a practical difficulty. She understood the building of a garage in the rear yard also creates a practical difficulty.

Member Ohlrogge commented the issue was the small front yard. She did not object to a garage, but the garage should meet the required setback.

Member Lane stated the lot was narrow and there was only one location for the garage, but did it create a practical difficulty.

Member Ohlrogge state a single car garage could also be a possibility which would be the minimum necessary.

Member Lane replied if a garage cannot be built on a lot without considering public safety or substantial justice is it really appropriate for that location.

Chair Beauchine commented the request is at least 50% of the lot coverage, which is a large variance request.

Member Lane stated the request did not meet the review criteria, five, six and eight from (Section 86-221) of the Zoning Ordinance; as it was not the minimum action necessary and create a public safety issue. He added if approved it would also adversely affect adjacent land and create a potential situation that was not safe.

MEMBER LANE MOVED TO DENY THE REQUEST BASED ON FAILURE TO MEET THE REVIEW CRITERIA FROM SECTION 86-221 OF THE ZONING ORDINANCE.

SECONDED BY MEMBER JACKSON.

Member Ohlrogge replied the ZBA is looking at the minimum action for a garage which is not an essential structure.

ROLL CALL TO VOTE: YES: Members, Ohlrogge, Rios, Jackson, Lane, and Chair Beauchine.

NO: None

Motion carried unanimously.

**2. ZBA CASE NO. 18-02-14-1 (COMPARONI), 2569 KOALA DRIVE, EAST LANSING, MI, 48823**

DESCRIPTION:	2569 Koala Drive
TAX PARCEL:	17-280-015
ZONING DISTRICT:	RA (Single Family, Medium Density)

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

Section 86-373(e)(5)(c), Rear yard. For lots up to 150 feet in depth, the rear yard shall not be less than 30 feet in depth.

Section 86-373(e)(4), Maximum lot coverage. All buildings including accessory buildings shall not cover more than 30% of the total lot area.

The applicant is requesting to construct a 230 square foot building addition with the closest point being 1 foot from the rear property line.

Assistant Planner Chapman outlined the case for discussion. He stated the window well did not require a variance and had been approved by the Wildwood Lakes-Bear Lake Homeowners Association.

The applicant requested a recess to discuss the window well with staff.

Chair Beauchine recessed the meeting at 7:12 p.m. and reconvened the meeting at 7:18 p.m.

Chair Beauchine asked the applicant or the applicant's representative if they would like to address the ZBA.

Mr. Jim Comparoni, the applicant, 2569 Koala Drive East Lansing, stated the request is for an addition to the house which would also expand the basement of the house. He added being on a corner lot has created issues in dealing with expanding the house.

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

Chair Beauchine commented the subject property is in a Planned Unit Development (PUD) and different setbacks apply. He added the Township ordinances describe how to handle a corner lot, which gives the applicant two front yards.

Assistant Planner Chapman, clarified the lot did not have two front yards as the commons area is the rear yard of the subject property.

Chair Beauchine commented the commons area is owned by the Homeowners Association.

Member Ohlrogge asked when measuring the setback is the commons area taken into account.

Assistant Planner Chapman stated setback is not measured from the commons area.

Member Jackson asked if the setback of 6 feet for the house was included in the approval of the PUD.

Assistant Planner Chapman replied there was no record of the setback.

Member Ohlrogge stated the applicant wants to build within the setback and cover more than 30% of the lot, but she could not find in the material the applicant's rational for granting the variance.

Mr. Comparoni agreed but until tonight he thought the reason for the request was the window well.

Mrs. Lori Comparoni, 2569 Koala Drive East Lansing, stated they believe the reason for appearing before the ZBA was because they were crossing the property line with the window well. She stated

she would be happy to go over the review criteria and answer any questions the ZBA had pertaining to the addition.

Mrs. Comparoni stated the shape of the lot creates a unique circumstance along with the commons area, which is their rear yard. They have maintained and landscaped the rear yard. The deck also extends into the commons area. She added what is considered their side yard is where the addition to the house is proposed.

Mrs. Comparoni commented they purchased the house without knowing the setbacks. Without the variance it would mean losing the open concept for the dining room and create a smaller kitchen. She added the addition would not interfere with the commons area or adversely affect adjacent land or change the essential character in the vicinity of the property. The addition will actually enhance the appearance of the property and neighborhood.

Chair Beauchine questioned the Homeowners Association approval of the expansion, when it is a subdivision within the Township, which has separate zoning requirements than the Homeowners Association.

Principal Planner Menser, confirmed the Homeowners Association approval was for the encroachment of the window well and did not address the building addition. He added approval of the addition is not subject to the Homeowners Association. Approval is only subject to the ZBA allowing an encroachment into the rear yard setback.

Member Jackson added in 2010 the ZBA approved a variance request to allow for a zero (0) foot rear yard setback for the deck extending into the commons area for this property.

MEMBER RIOS MOVED TO GRANT THE VARIANCE GIVEN THE SUPPORT OF THE HOMEOWNERS ASSOCIATION AND NEIGHBORS, WHICH ALLOWED THE DECK TO EXTEND FURTHER THAN THE PROPOSED ADDITION.

MOTION FAILED FOR LACK OF SUPPORT.

Member Lane referenced criteria three, from (Section 86-221) of the Zoning Ordinance, stating a denial would not create a practical difficulty. He added a smaller addition would be more in line with the setback requirements.

Member Ohlrogge read review criteria four, which reads the alleged practical difficulties, which will result from a failure to grant the variance, would unreasonably prevent the owner from using the property for a permitted purpose. She stated denying the variance does not prevent the owner from using the property.

Mrs. Comparoni added that the current kitchen does not have a functional design.

Chair Beauchine stated he did not believe the ZBA could take into account the commons area for the addition to the house.

Member Jackson asked, if there was a legal relationship between the subject property and the commons area that allowed for the encroachment into the commons area.

Assistant Planner Chapman responded the applicant had requested an easement from the Homeowners Association for the deck to encroach into the commons area.

Chair Beauchine stated the applicant had not received a variance for a zero (0) foot rear yard setback but received a variance of 7 feet for the deck.

Member Jackson asked if the easement went across the property line.

Mr. Chapman Assistant Planner replied he was not familiar with the wording of the easement but assumed it was only for the commons area.

Member Jackson asked if the easement goes with the subject property.

Assistant Planner Chapman replied yes, for the deck area.

Member Jackson stated she could support the request if the addition was 6 feet from the property line, like the house.

Chair Beauchine asked what was the square footage of both the house and the lot.

Mrs. Comparoni replied the house is 1556 square feet.

Mr. Comparoni asked if the practical difficulties could be defined based on the difficulty with the current layout of the house.

Member Ohlrogge stated the ZBA makes their decisions on the property and the structure, as opposed to the needs of the resident.

Member Lane replied the request for a variance to expand the current kitchen does not create a practical difficulty. He added with the setback and the square footage requests; it is hard to meet criteria three and four.

Chair Beauchine stated the house should not have been built so close to the property line. He added other houses in the neighborhood do not have a commons area and perhaps this was a unique situation.

John Booth 2564 Koala Drive, East Lansing stated the applicants are not the only property owners with commons area maintained by homeowners.

Rosemary O'Brien 2564 Koala Drive, East Lansing commented fences are allowed as long as the Homeowners Association agrees with the need for a fence.

Member Ohlrogge added in dealing with commons areas and how they are viewed by Homeowners Associations is not how the ZBA determines a request. The request is based on the Township Ordinances.

Chair Beauchine stated there was implied consent from the Homeowners Association with the approval of the window well and the addition. He added the Homeowners Association is the one that would care about the addition to the house.

Member Ohlrogge agreed the Homeowners Association would care about the impact to the commons area, but the ZBA concern is the setbacks.

MEMBER RIOS MOVED TO GRANT THE VARIANCE GIVEN THE SUPPORT OF THE HOMEOWNERS ASSOCIATION AND NEIGHBORS, WHICH ALLOWED THE DECK TO EXTEND FURTHER THAN THE PROPOSED ADDITION.

MOTION FAILED FOR LACK OF SUPPORT.

MEMBER LANE MOVED TO DENY BOTH VARIANCE REQUESTS BASED ON FAILURE TO MEET REVIEW CRITERIA THREE AND FOUR FROM (SECTION 86-221) OF THE ZONING ORDINANCE.

SECONDED BY MEMBER OHLROGGE.

Member Rios stated he is in support of the variances since the deck had been approved by the ZBA, and the encroachment of the addition is less than the deck.

Member Jackson asked did the Homeowners Association approve the deck.

Assistant Planner Chapman replied the applicant was given an easement to encroach into the commons area for the deck.

ROLL CALL TO VOTE: YES: Members, Ohlrogge, Jackson, Lane.  
NO: Member Rios and Chair Beauchine.  
Motion carried 3:2.

**G. OTHER BUSINESS**

None.

**H. PUBLIC REMARKS**

None.

**I. BOARD MEMBER COMMENTS**

Member Ohlrogge commented the cases tonight reflect the conflicts the ZBA deal with and how important it is to use the review criteria in determining variance requests.

Member Jackson added it was also not the responsibility of the ZBA to determine how to make requests work.

**J. ADJOURNMENT**

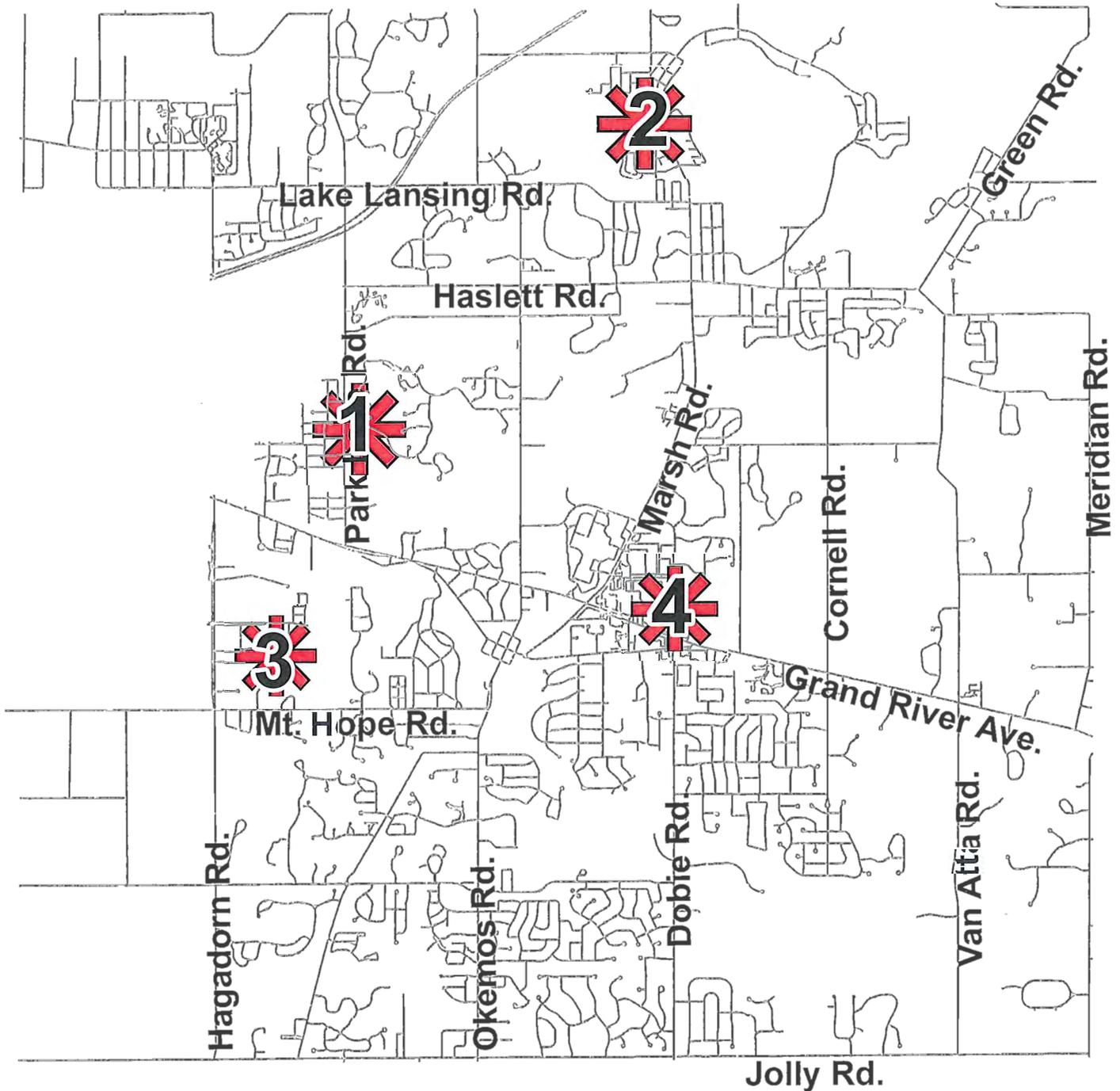
Chair Beauchine adjourned the meeting at 8:45 p.m.

**K. POST SCRIPT - Member Lane**

Respectfully Submitted,

Rebekah Kelly  
Recording Secretary

# Meridian Township



Location Map

1. ZBA #18-02-14-1 (Comparoni)
2. ZBA #18-03-28-1 (Miller)
3. ZBA #18-03-28-2 (Marquie & Peterson)
4. ZBA #18-03-28-3 (Fearon)



## 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.

Feb 27, 2018

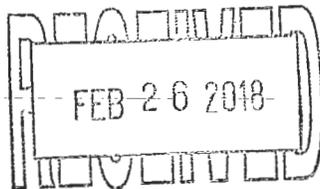
To: Meriden Twp Appeals Board

This letter is to suggest that the board approve the kitchen extension proposed by our neighbors, the Comparoni's, at the corner of Koala Dr & West Hidden Lake Dr.

This corner property including the attached "common ground" is meticulously maintained by this families' expense during all seasons. This makes for a more attractive neighborhood for all.

This extension will not seem at all out of place on this large corner lot on which the house is situated.

Thank you -  
John Booth  
Rosemary O'Brien  
2564 Koala Dr.



February 26, 2018

To the Meridian Township Board:

We are in support of the Comparoni family construction project. We feel this addition will make a positive Impact on the community in which we live. We have been neighbors for several years and they are an awesome family. We ask that you consider this project to move forward for they have put a lot of time ,effort and money into making their home better.

Sincerely,

A handwritten signature in cursive script, appearing to read "Beverly D. Bishop". The signature is written in black ink and is positioned above the printed name.

Dr. and Mrs. Ronald Bishop

2576 Koala Drive

East Lansing, Mi 28823

3-2-18

To Whom it May Concern:

I live on Koral Drive,  
and am a neighbor of  
the Camporini Family.

I have no issue with their  
desire to improve their  
home by constructing an  
addition as described.

They are good neighbors and  
I am positive they will  
continue to maintain and  
care for the new addition  
as well as they have the  
original home.

Respectfully,

Kevin Sushko  
2538 Koral Drive  
East Lansing, Michigan

March 19, 2018

Linda Becker  
2540 Koala Drive  
E. Lansing MI 48823

Meridian Township  
Zoning Board of Appeals  
5151 Marsh Road  
Okemos MI 48864

**RE: Zoning Board of Appeals #18-02-14-1 (Comparoni)  
2569 Koala Drive**

To the Zoning Board:

On March 18, I spoke to Lori Comparoni regarding their request for a 230 square foot building addition. I asked if the addition would be on the E. Hidden Lakes side or the Koala side. She confirmed that it would be extending the kitchen area 10 feet toward the Koala Drive side.

I concluded the following:

- It would not obstruct vision for oncoming traffic;
- It would appear to be no closer to the E. Hidden Lake sidewalk than any of the other buildings along the road;
- It maintains the current open grassed area, as the addition mostly replaces a garden area along that side;
- It does not affect any needed air space for the large tree planted near Koala Drive;
- As they are a corner lot, it would not encroach on a neighbor's property.

Given the above, I am in full support of Jim and Lori Comparoni going forward with their planned addition and a reversal of the previously denied variance.

Sincerely,



Linda J. Becker  
517.719.3320



To: Charter Township of Meridian  
Zoning Board of Appeals  
Okemos, MI 48864

From: Odd Fellows Contracting Inc.  
996 Glaser Rd  
Williamston, MI 48895  
517-655-9272

Concerning ZBA case no. 18-02-14-1 (Comparoni), 2569 Koala Drive, East Lansing, MI 48823. Tax Parcel 17-280-015. Zoning District: RA

Members, thank you for considering our position in regard to our client, Jim and Lori Comparoni. We submit this letter respectfully with understanding of the overall goal of protecting the township's property owners, as a whole, and maintain a beautiful township.

We appeal to you that the said property should be allowed variances in this circumstance due in part to the unique size, and shape of this lot. The Township's Code of Ordinances states that the lot sizes for this Zoning District (RA) shall have a "Minimum lot area: 10,000 square feet. Interior lot area requirements may be reduced for no more than 25% of the lots in any one subdivision plat, provided lots so reduced are not less than 9,000 square feet in area and provided the interior lot area of the subdivision plat averages 10,000 square feet." (86-373)

Given the above stated zoning requirement, it appears that the Comparoni lot in question, at 7249 sq.ft., was allowed to be established and remain in violation of this same zoning ordinance. In that the Comparoni's lot was allowed to be established about 19% smaller than the minimum 9000 sqft., it should seem fair and reasonable to allow a 3% variance to the buildable size, especially given that a non-permanent deck is also being accounted for within this overall coverage.

Additionally, this small lot size being also placed on a unique corner shape has made it very challenging for the Comparoni family to make this needed reasonable home improvement and comply to the lot coverage and setback requirements. The location and shape of this lot which places streets on essentially 3 sides of the property has created challenging lot setbacks which has unfairly restricted the homeowner's ability to exercise their right to these reasonable improvements. Even though the proposed addition is approx. 1' from the property line, the property line is still 26' from the sidewalk and 37' from the street curb. I have attached a copy of the plot plan which highlights these features.

This situation has thus created an extenuating circumstance and hardship on the Comparoni family; one which places an unfair disadvantage on their growing family needs. It should be noted that all other families in this same neighborhood would be allowed to create this same requested amount of additional living space for their families needs and it should be considered a fair and reasonable decision by this Board to allow that same right and privilege to the Comparoni family.

Therefore, with the unusual and extenuating circumstances outlined above, and on behalf of the Comparoni family, who has enjoyed being a responsible and contributing resident of their valued neighborhood and Meridian Township, we at Odd Fellows Contracting, Inc., the selected remodeling contractor for the Comparoni Family, plead for the Zoning Boards support for a fair and reasonable decision and vote in favor of allowing the Comparoni family to move forward with their hopeful home improvement plans that will both enhance the beauty, function and value of their home as well as add additional value and equity to their neighborhood and to Meridian Township as a whole.

Dear Zoning Board/Committee, thank you for your consideration of this information and plea for a fair, reasonable and non-discriminating decision to allow the Comparoni Family to enhance their home just as would be allowed to all other residents of their same neighborhood that were blessed with larger lots that were not allowed to be plotted in violation of the very Ordinance that has placed the Comparoni Family's situation before you now.

A handwritten signature in black ink, appearing to read 'Bret Oleksyn', with a long horizontal flourish extending to the right.

Bret Oleksyn  
President,  
Odd Fellows Contracting, Inc.



**To:** Zoning Board of Appeals  
**From:** Keith Chapman, Assistant Planner  
**Date:** March 23, 2018  
**Re:** ZBA Case No. 18-02-14-1 (Comparoni)

---

**ZBA CASE NO.:** 18-02-14-1 (Comparoni), 2569 Koala Drive, East Lansing, MI 48823  
**DESCRIPTION:** 2569 Koala Drive  
**TAX PARCEL:** 17-280-015  
**ZONING DISTRICT:** RA (Single Family, Medium Density)

The applicant is requesting the Zoning Board of Appeals (ZBA) to rehear a previously denied variance in accordance with the following section of the Code of Ordinances:

- Section 86-225 – No application, which has been denied wholly or in part by the Zoning Board of Appeals, shall be resubmitted until the expiration of one year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed circumstances found by the Zoning Board of Appeals to be sufficient to justify consideration.

The previous request was to construct a 235 square foot building addition one foot from the rear yard property line for a variance request of 19 feet and 3.6% for a total of 33.6% lot coverage at 2569 Koala Drive. Approval from the ZBA is needed in order to rehear the case. If the ZBA decides to rehear the case then the request is for variances from the following sections of the Code of Ordinances:

- Section 86-373(e)(5)(c). Rear Yard. For lots up to 150 feet in depth, the rear yard shall not be less than 30 feet in depth.
- Section 86-373(e)(4). Maximum Lot Coverage. All buildings including accessory buildings shall not cover more than 30% of the total lot area.

The proposal from the applicant has not changed; the applicant is still proposing to construct a 235 square foot building addition with the closest point being one foot from the rear property line, requiring a variance of 19 feet. The applicant has provided new supplemental documents, which are attached. The proposed addition is approximately 10 feet by 23.5 feet in size (235 square feet) and will be located on the west side of the existing house. The Zoning Ordinance limits lot coverage to no more than 30%. The property has proposed lot coverage of 33.6%; therefore a variance of 3.6% is being requested.

**Zoning Board of Appeals**  
**March 28, 2018**  
**RE: ZBA Case No. 18-02-14-1 (Comparoni)**  
**Page 2**

**Site History**

- The Wildwood Lakes Planned Unit Development was approved on March 3, 1981 (SUP #80201).
- Preliminary plat approval was granted for the Wildwood Lakes-Bear Lake subdivision on February 21, 1983 (PP #83012).
- The house was built in 1984.
- A variance was granted in 2010 (ZBA #10-10-13-4) to allow for a zero (0) foot rear yard setback for a deck that extends into the Kodiak commons area.

**Attachments**

1. New application materials
2. Site location map
3. Staff report from the February 14, 2018 ZBA meeting
4. Minutes from the February 14, 2018 ZBA meeting

G:\COMMUN PLNG & DEV\PLNG\ZBA\2018 ZBA\ZBA 18-02-14\ZBA 18-02-14-1 (Comparoni) - Rehearing\STAFF REPORT COMPARONI

# New Application Materials

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

VARIANCE APPLICATION

A. Applicant Jim and Lori Comparoni  
Address of Applicant 2569 Koala Drive East Lansing MI 48823  
Telephone (Work) 517 374-1040 x3420 Telephone (Home) 517 290-3627  
Fax \_\_\_\_\_ Email address: lorilgrant@hotmail.com  
Interest in property (circle one):  Owner  Tenant  Option  Other

B. Site address/location 2569 Koala Dr. E. Lansing MI 48823  
Zoning district RA Parcel number 17-280-015

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) B6-373(e)(5)c

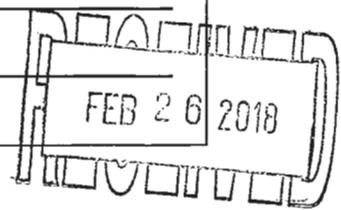
D. Required Supporting Material                      Supporting Material if Applicable  
-Property survey  
-Legal description Lot 42 Bear Lake subdivision no. 1  
-Proof of property ownership or approval letter from owner  
-Site plan to scale  
-Written statement, which demonstrates how all the review criteria will be met (See next page)

[Signature] / Lori Comparoni                      James A. Comparoni / Lori Comparoni                      2/19/2018  
Signature of Applicant                      Print Name                      Date

Fee: 150.00                      Received by/Date: [Signature] 2/26/18

*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]                      2/19/18  
Signature of Applicant(s)                      Date  
[Signature]                      2/19/18.  
Signature of Applicant(s)                      Date



We are proposing a 23'x10' addition to our home that would expand our current kitchen and dining space, along with adding another room to our basement which we plan to use in part for overnight guests.

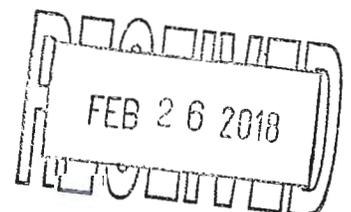
The addition does not meet the setback requirements from the property line. The land adjacent to our property on the southwest side is considered Kodiak Commons and is owned by the Bear Lake Homeowners Association (BLHOA). This creates a small, triangular shaped parcel. We have also planned for an egress window in the new basement area, the well for which will cross the property line and extend into HOA property. Our HOA board has written a statement supporting the addition being built as planned despite of the setback requirement. They have also drafted an easement agreement allowing the well of the planned egress window to cross the property line.

The attached diagram of the property has the required setback marked in yellow. Note that our house and garage themselves are built over the setback line. The house was built only to stay within the property line. Aside from the well for the egress window, the addition will also remain within these same boundaries.

We understand that property setback regulations are meant to protect against building too close to neighbors, areas utilized by others, or property that is considered to need protection. In our case this area is used only by us as our backyard. We mow and maintain this land. We pay to have trees on the property fertilized. Common area that is adjacent to the backyards of all of our neighbors is mowed and maintained by a landscape service that is hired by the BLHOA.

We have lived in this house for almost 12 years. The space that we have for our kitchen and dining area, though adequate when we bought the house, has become both impractical and difficult for us. Simply adding new appliances, cupboards and flooring within the same footprint would not solve any of the problems we currently have when utilizing the space as it is. Strict interpretation of practical difficulties could be taken to mean that without the addition we would not have a kitchen or a space to eat. However, in the situation of expanding these areas of a home, this would rarely, if ever be the case. I would venture to guess that the popularity of kitchen remodel/addition is second only to bathroom remodel or addition in a home. Small or not enough bathrooms could certainly create practical difficulties for a family. People expand and remodel kitchens to update the space and to make it more functional for a growing family and their changing needs.

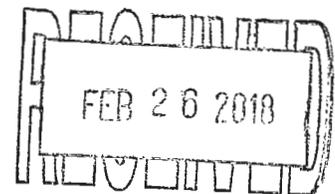
Another issue that we view as practical difficulty is the lack of adequate space for overnight guests. The proposed addition would create a separate guest room in the basement with an egress window for safety. Currently our guests sleep in our basement family room with no window.



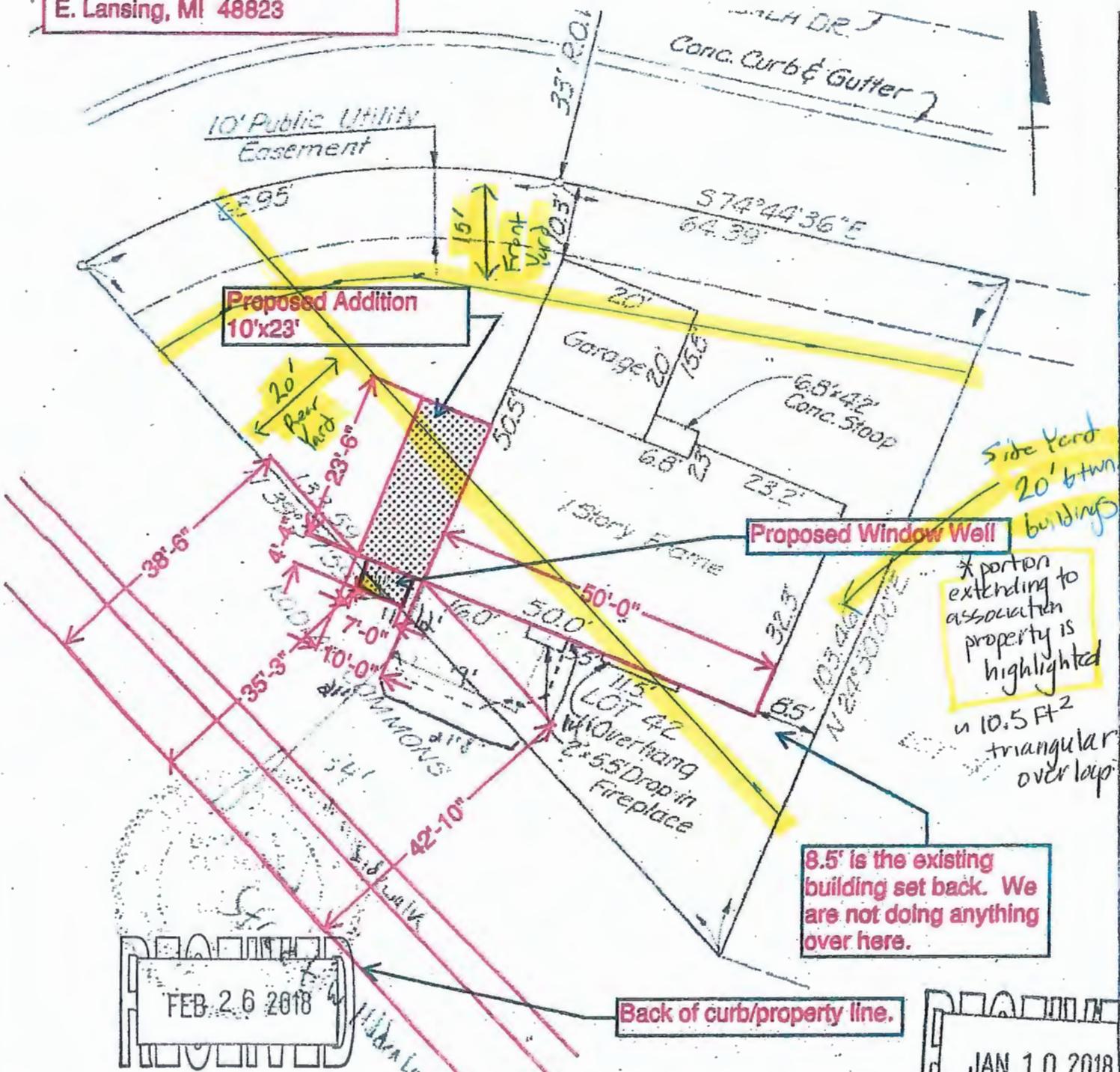
An addition to our dining area along with a larger remodeled kitchen would add value to our home. It would also only positively affect neighboring homes by increasing their property values as well.

We have had unanimous support for our project from our neighbors and members of the HOA. As previously stated, using the planned area of our yard to build the addition would not impinge on neighbors or land utilized by others. It would make no difference to even our use of the HOA property. The addition will make better use of an area that is currently a large mulched bed. It will beautify and add character to the west side of our home without deviating from the consistent style of the homes in the neighborhood.

We understand that being granted the variance for this project would not imply that our property line or the land use setback as it pertains to our property is to be henceforth regulated differently. We understand that these regulations are meant to protect neighbors and others from having structures being built too close as to create potential hazards or nuisances. The proposed addition to our home will not in any way be responsible for either of these.



Jim & Lori Comparoni  
 2569 Koala  
 E. Lansing, MI 48823



RECEIVED  
 FEB 26 2018

RECEIVED  
 JAN 10 2018

MR. & MRS. GERALD CAMPBELL

I, THE UNDERSIGNED, REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT THIS MORTGAGEE'S REPORT WAS PREPARED FOR IDENTIFICATION PURPOSES ONLY FOR THE MORTGAGEE IN CONNECTION WITH A NEW MORTGAGE AND IS NOT INTENDED OR REPRESENTED TO BE A LAND OR PROPERTY LINE SURVEY, THAT NO PROPERTY BOUNDARIES WERE SET, AND IS NOT TO BE USED, OR RELIED UPON, FOR THE ESTABLISHMENT OF ANY FENCE, BUILDING OR OTHER IMPROVEMENT LINES. NO RESPONSIBILITY IS EXTENDED HERE-TO THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT.

*David L. Clifford*  
**DAVID L. CLIFFORD**  
 REGISTERED LAND SURVEYOR, MICHIGAN NO. 25837

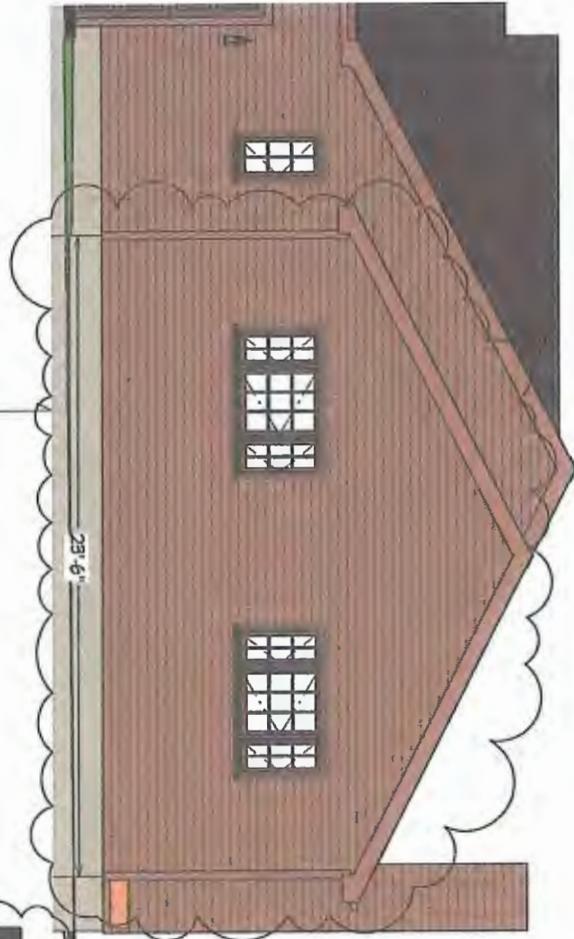
CLIENT: WILDWOOD LAKES DEV.

**Snell Environmental Group**  
 1120 May Street,  
 Lansing, Michigan 48906  
 (517) 374-6800

PROJECT NO. 11571 C	SCALE: 1" = 20'
DATE 8-3-84	SHEET 1 OF 1

ELEVATIONS

WEST ELEVATION



SOUTH ELEVATION



FEB 26 2018

ODD FELLOWS CONTRACTING  
506 Glenwood Road  
Wilkesboro, NC 28696  
Cell: 517.898.7103  
ofo@oddfellowscontracting.com

© 2018

Comparoni Project

ODD FELLOWS  
CONTRACTING

DRAWN BY: *Jenny Dowe*

DATE:

SHEET NUMBER

12

REVISION #

February 24, 2018

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

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

Re: James and Lori Comparoni Home Addition and Property Line Setback

Dear Chair Beauchine and Board Members,

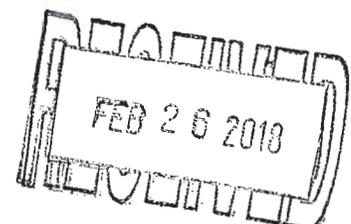
It is a requirement of the Bear Lake Homeowners Association (BLHOA) Restrictive Covenants that prior to any modification to the "buildings, structures, and other improvements placed on each lot," homeowners must present a project plan and a request for review by the BLHOA Board of Directors seeking permission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

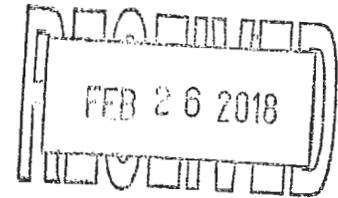
James and Lori Comparoni submitted a home improvement plan inclusive of construction detail and a plat map to the BLHOA Board of Directors on December 20, 2017. The Comparonis also made the board aware that as designed, an egress window well would encroach BLHOA common area by approximately two feet. The Comparonis' requested approval for both the encroachment and home improvement plan approval. Upon review by the board and following the request for a material change for the window well, unanimous BLHOA Board of Directors approval was granted to the Comparonis, contingent upon the implementation of a revocable easement agreement between the BLHOA and the Comparonis. This revocable easement agreement was signed by the Comparonis and the BLHOA representative, Board President Craig Newman on February 2, 2018.

The BLHOA Board of Directors is of the opinion that the BLHOA common area between the Comparoni lot and West Hidden Lake has a use limited to providing a buffer zone that gives the community the perception of openness. The BLHOA Board of Directors also recognizes the uniqueness of the Comparoni lot and the limiting effect it has on their desires for improving their home. The BLHOA Board of Directors does not believe that the Comparoni home improvement, or the two foot encroachment onto BLHOA common property of the egress window well negatively impacts the openness and harmonious look and feel that the community and board strive to maintain. In fact, the board believes the home addition is an improvement to the Bear Lake community.

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

Respectfully,  
Craig Newman, President  
Bear Lake Homeowners Association





## REVOCABLE EASEMENT AGREEMENT

THIS REVOCABLE EASEMENT AGREEMENT (the "Agreement") is made this \_\_\_ day of June, 2010, by and between Wildwood Lakes-Bear Lake Homeowners Association, a Michigan non-profit corporation, whose address is c/o Spartan Services, 1048 Pierpont, Suite 2, Lansing, Michigan 48910 (the "Grantor"), and James <sup>J.A.</sup>~~J.A.~~ Comparoni and Lori L. Comparoni, husband and wife, whose address is 2569 Koala Drive, East Lansing, Michigan 48823 ("Grantees").

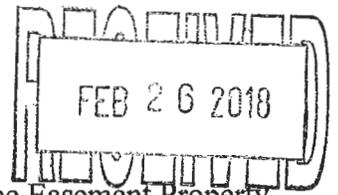
WHEREAS, Grantor is the subdivision association charged in the Declaration of Restrictive Covenants for Bear Lake Subdivision No. 1, recorded in Liber 1438, Page 457, Ingham County Records with the maintenance of certain property described as Kodiak Commons, as shown on the recorded plat of Bear Lake Subdivision No. 1, a subdivision of part of the East 1/2 of Section 17, T4N, R1W, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 38 of Plats, Pages 33 - 33, Ingham County Records ("Grantor's Property");

WHEREAS, Grantees are the owners of certain property described as Lot 42, Bear Lake Subdivision No. 1, a subdivision of part of the East 1/2 of Section 17, T4N, R1W, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 38 of Plats, Pages 33 - 33, Ingham County Records ("Grantees' Property");

WHEREAS, Grantees desire to construct a 16.4 square foot egress window well attached to the southwest corner of the residence on Grantees' Property, which egress window well would extend approximately 1.2 feet into that part of Grantor's Property located immediately southeast of and adjoining the Southeast lot line of Grantees' Property, which encroachment Grantor has agreed to permit and remain on Grantor's Property upon the terms and conditions specified herein.

NOW, THEREFORE, the parties agree as follows:

1. For One Dollar (\$1.00) paid by Grantees to Grantor, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants, bargains and conveys to Grantees an exclusive revocable easement over and across that portion of Grantor's Property located southeast of and immediately adjoining the southeast lot line of Grantees' Property for the construction, maintenance and use of a egress window well as shown on Exhibit A attached to this Agreement, in the approximate location as shown on Exhibit B attached to this Agreement (the "Easement Property").
2. Grantees hereby agree that no right, title and interest in and to Grantor's Property, or any portion thereof, shall be acquired, claimed or obtained by Grantees, including but not limited to any right, title and/or interest by adverse possession or prescriptive easement, as a result of Grantees' use of any portion of Grantor's Property.
3. Grantees hereby covenant and agree that if Grantees replace, reconstruct, or modify that portion of the Grantees' egress window well located on Grantor's Property in the future, Grantees shall



be required to remove said encroaching portion of the egress window well from the Easement Property and this Agreement shall automatically terminate upon such removal, unless otherwise agreed to in writing by Grantor.

4. This Agreement may be terminated at any time by Grantor upon the recording of a Notice of Termination of Easement executed by Grantor and recorded with the Ingham County Register of Deeds in the event that Grantor determines, in Grantor's sole discretion, that the existence of this Agreement and/or the egress window well encroachment into Grantor's Property unreasonably interferes with the use and enjoyment of Grantor's Property by members of the Wildwood Lakes- Bear Lake Homeowner's Association, or that the use of the Easement Property by the Grantees pursuant to this Agreement creates an unreasonable risk of liability for Grantor, its members, successors and assigns of Grantor's Property.

5. Upon termination of this Agreement as provided in paragraph 4 above for any reason, Grantees shall be required to remove, at Grantees' sole cost and expense, Grantees' egress window well and any other improvements now or hereafter installed by Grantees on Grantor's Property, and Grantees agree to execute any documents reasonably requested by Grantor evidencing the termination of this Agreement.

6. Grantor shall not be liable to Grantees, Grantees' children, employees, invitees, guests, or contractors, for any personal injury, property damage, loss of life, or loss of property caused by, or arising out of any connection with, Grantees' use of Grantor's Property.

7. Grantees shall defend, indemnify and hold Grantor harmless from and against any claim, loss, expense or damage arising out of or in connection with Grantees' use of the Grantor's Property and any act or neglect of Grantees, or Grantee's children, employees, invitees, guests, or contractors on, in, or around Grantor's Property.

8. Grantees shall be responsible for all maintenance, repairs and replacements to Grantees' egress window well and improvements, and agree to maintain same in good and safe condition and repair at all times. In the event that Grantees shall fail to do so, Grantor may enter upon so much of Grantees' Property as is necessary to effectuate any maintenance, repairs, and replacements to Grantees' egress window well and improvements on Grantor's Property as may be necessary, and Grantor shall be entitled to recover from Grantees all reasonable out-of-pocket costs and expenses incurred in connection therewith.

9. Grantees agree to maintain a policy of public liability insurance on Grantees' Property and the Easement Property covering any and all claims to persons or property occurring in, upon or about Grantees' Property and the Easement Property during Grantees' occupancy or use pursuant to this Agreement. Said insurance is to be maintained by Grantees in the minimum amount of One Million Dollars (\$1,000,000.00) single limit coverage, to indemnify a claim of one or more persons, and in a minimum amount of Three Hundred Thousand Dollars (\$300,000.00) of indemnification for property damage. Grantees shall provide a complete copy of said insurance policy and all renewals thereto and replacements thereof to Grantor.

10. This Revocable Easement Agreement shall run with the land and bind Grantor's Property and Grantees' Property, and/or the heirs, successors and assigns of Grantor and Grantees or Grantor's Property and Grantees' Property, respectively. Wherever the terms "Grantor" or "Grantees"



GRANTEES:

[Signature]  
James J. Comparoni *ant*

[Signature]  
Lori L. Comparoni

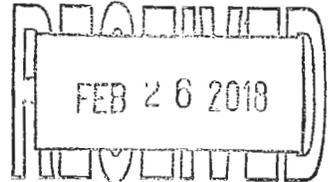
STATE OF MICHIGAN     )  
  ) ss  
COUNTY OF INGHAM     )

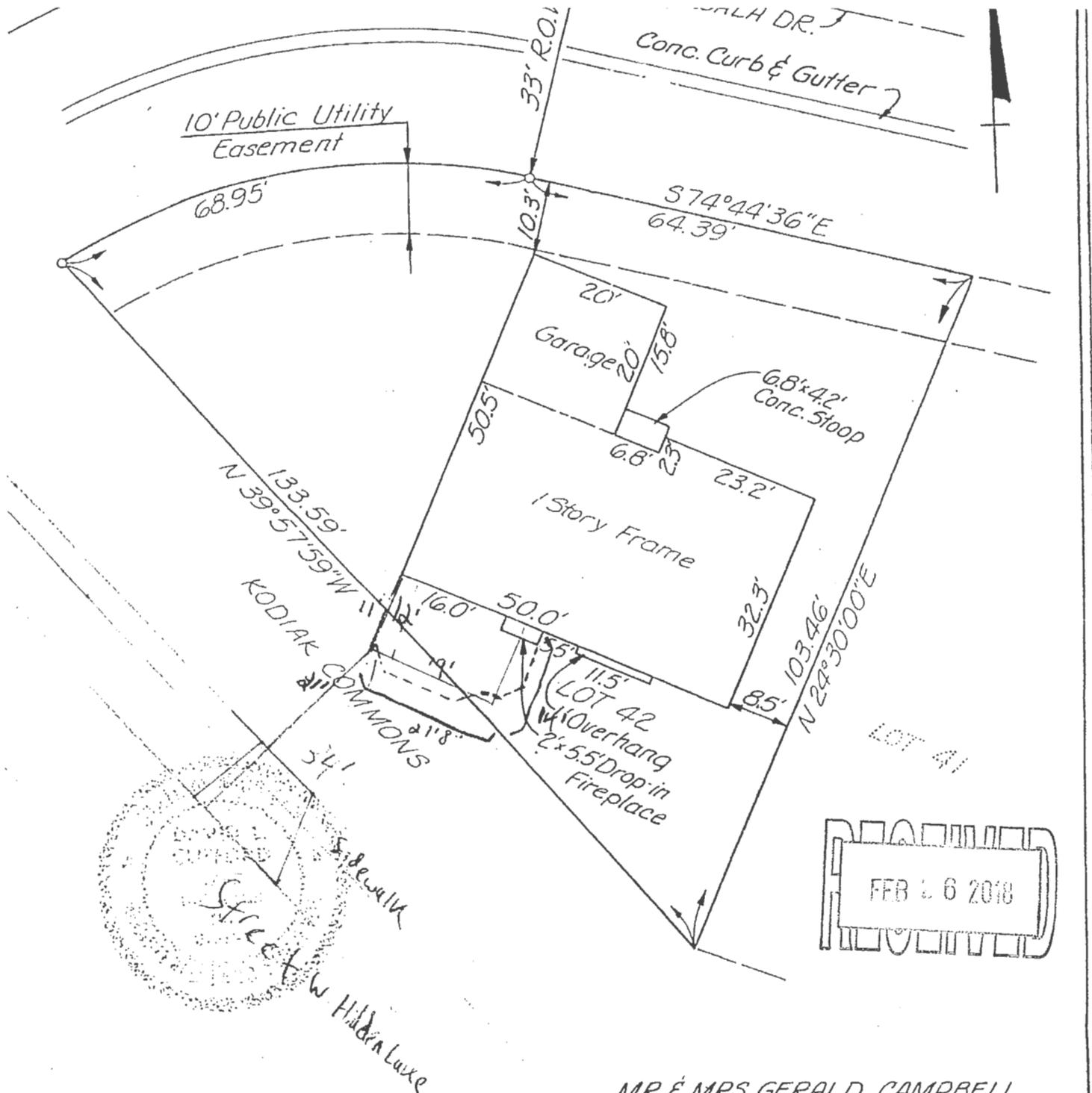
The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of February, 2018, by James J. Comparoni and Lori L. Comparoni, husband and wife.

[Signature]  
Notary Public  
Ionia County, Michigan  
Acting in Ingham County, Michigan  
My Commission Expires: May 7 2023

**SARAH CROSBY**  
**NOTARY PUBLIC - STATE OF MICHIGAN**  
**COUNTY OF IONIA**  
My Commission Expires May 7, 2023  
Acting in the County of Ingham

Drafted By and When Recorded Return To:  
Brent A. Titus  
Foster, Swift, Collins & Smith, P.C.  
313 South Washington Square  
Lansing, MI 48933-2193  
517.371.8100





THE UNDERSIGNED, REGISTERED LAND SURVEYOR, HEREBY CERTIFIES THAT THIS MORTGAGEE'S REPORT WAS PREPARED FOR IDENTIFICATION PURPOSES ONLY FOR THE MORTGAGEE IN CONNECTION WITH A NEW MORTGAGE AND IS NOT INTENDED OR REPRESENTED TO BE A LAND OR PROPERTY LINE SURVEY; THAT NO PROPERTY CORNERS WERE SET; AND IS NOT TO BE USED, OR RELIED UPON, FOR THE ESTABLISHMENT OF ANY FENCE, BUILDING OR OTHER IMPROVEMENT LINES. NO RESPONSIBILITY IS EXTENDED HERETO TO THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT.

MR. & MRS. GERALD CAMPBELL

*David L. Clifford*  
**DAVID L. CLIFFORD**  
 REGISTERED LAND SURVEYOR, MICHIGAN NO. 25837

CLIENT: <u>WILDWOOD LAKES DEV.</u>	
 <b>Snell Environmental Group</b>	1120 May Street Lansing, Michigan 48906 (517) 374-6800
	PROJECT NO. <u>11571 C</u>
DATE <u>8-3-84</u>	SHEET <u>1</u> OF <u>1</u>



RECEIVED  
FEB 26 2018

an Lake Dr

Koala Dr



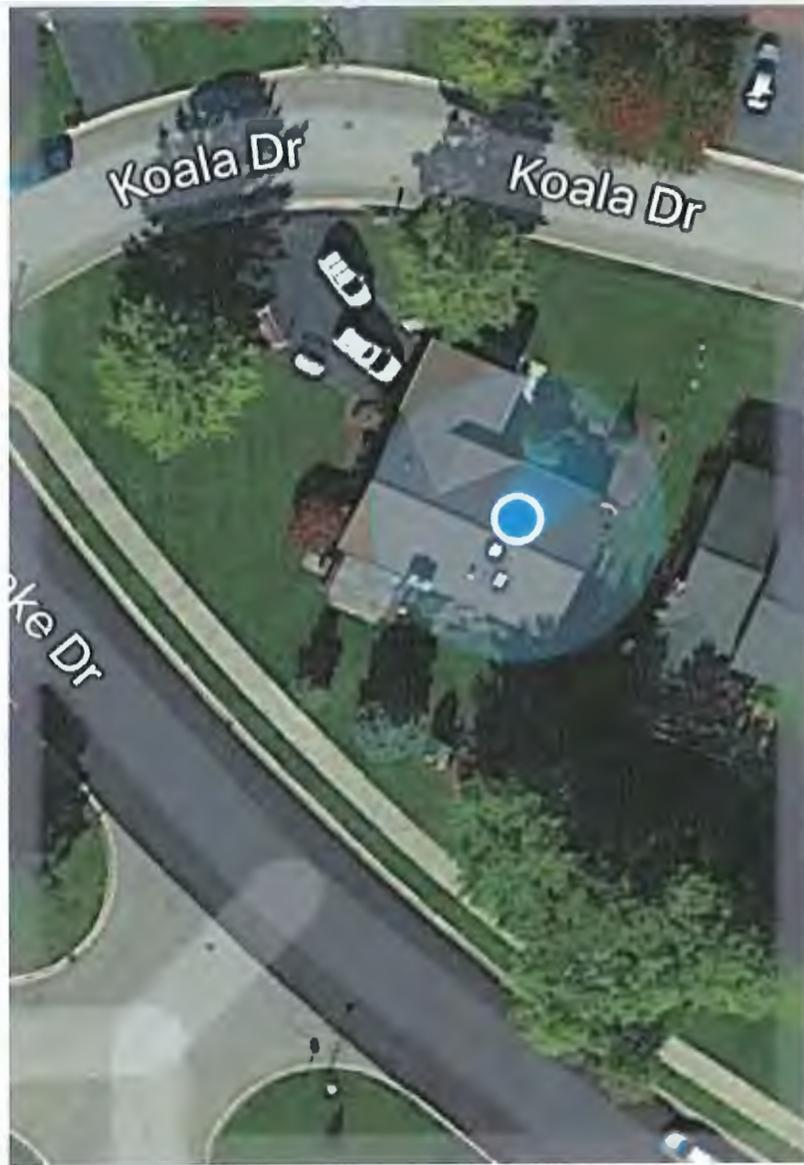
Lot 42  
Bear Lake  
subdivision no. 1

W Hidden Lake Dr

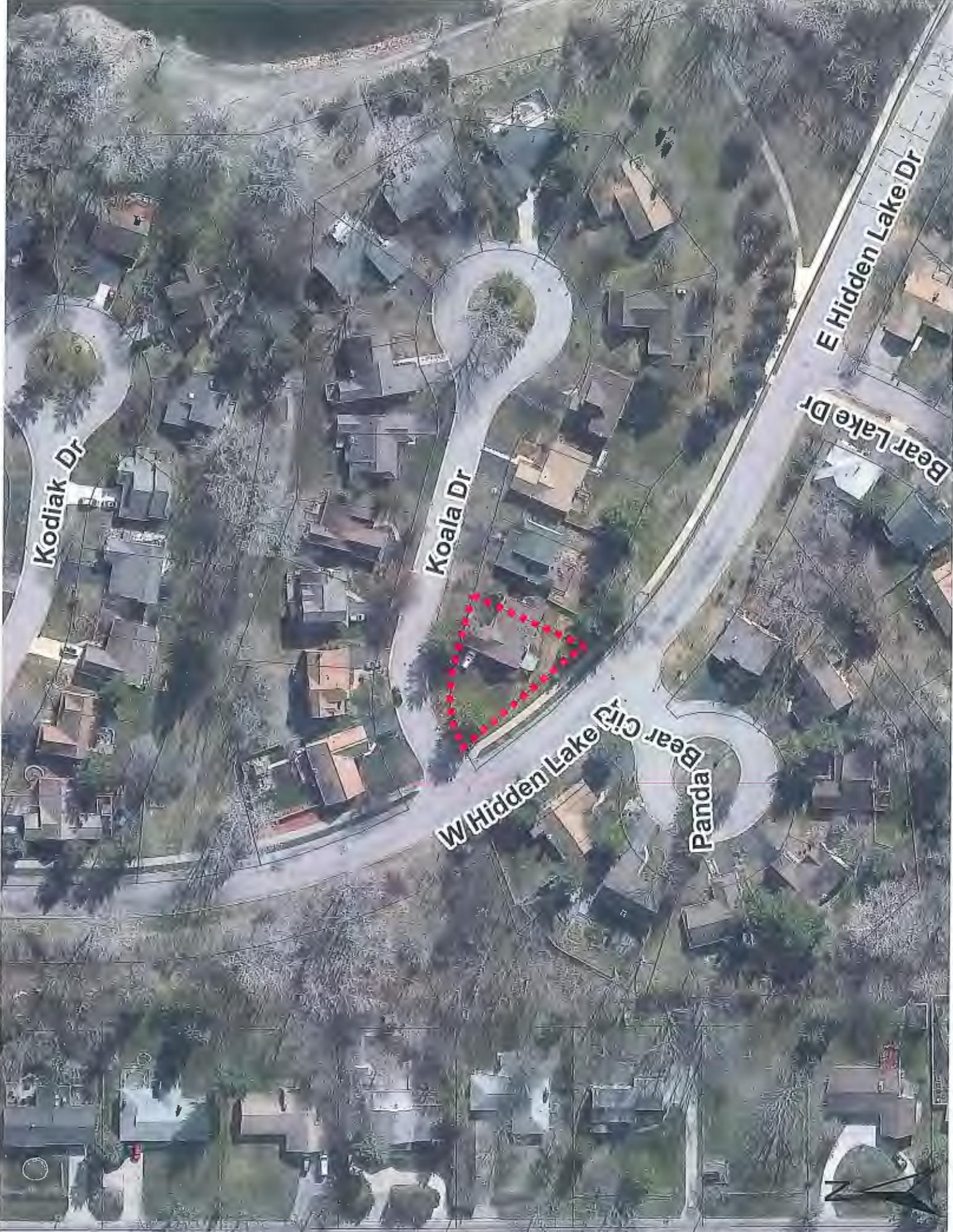
RECEIVED  
FEB 26 2000



RECEIVED  
FEB 26 2018



RECEIVED  
FEB 26 2018



Kodiak Dr

Koala Dr

W Hidden Lake

Bear City

Panda

Bear Lake Dr

E Hidden Lake Dr



# Previous Staff Report



**To:** Zoning Board of Appeals  
**From:** Keith Chapman, Assistant Planner  
**Date:** February 9, 2018  
**Re:** ZBA Case No. 18-02-14-1 (Comparoni)

---

**ZBA CASE NO.:** 18-02-14-1 (Comparoni), 2569 Koala Drive, East Lansing, MI 48823  
**DESCRIPTION:** 2569 Koala Drive  
**TAX PARCEL:** 17-280-015  
**ZONING DISTRICT:** RA (Single Family, Medium Density)

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

- Section 86-373(e)(5)(c). Rear Yard. For lots up to 150 feet in depth, the rear yard shall not be less than 30 feet in depth.
- Section 86-373(e)(4). Maximum Lot Coverage. All buildings including accessory buildings shall not cover more than 30% of the total lot area.

The applicant is proposing to construct a 235 square foot building addition with the closest point being 1 foot from the rear property line at 2569 Koala Drive, in the Bear Lakes subdivision. The existing house is approximately 6 feet from the rear property line and does not meet the required rear yard setback. The proposed addition is approximately 10 feet by 23.5 feet in size (235 square feet) and will be located on the west side of the existing house.

The typical required rear yard building setback in the RA zoning district is thirty (30) feet for lots up to 150 feet in depth, however in The Bear Lakes subdivision, which is part of the Wildwood Lakes Planned Unit Development (SUP #80201), different building setbacks were established as part of the planned unit development and the preliminary plat for Bear Lakes (PP #83012). For the Bear Lakes subdivision, a twenty (20) foot rear yard setback is required for the principal building. The proposed addition does not meet the required rear yard setback; therefore, the applicant is requesting a variance of 19 feet.

Upon further examination of the submitted application materials, the staff has determined that the property does not meet the provision of the Zoning Ordinance limiting lot coverage to no more than 30%. The property has a proposed lot coverage of 33.6%; therefore a variance of 3.6% is being requested.

**Zoning Board of Appeals**  
**February 9, 2018**  
**RE: ZBA Case No. 18-02-14-1 (Comparoni)**  
**Page 2**

A window well is also proposed to extend approximately two feet into the commons area of the Bear Lakes plat. The applicant has received approval from the Wildwood Lakes-Bear Lake Homeowners Association regarding an easement for the window well. A copy of the 'Revocable Easement Agreement' was submitted by the applicant which outlines the conditions of the agreement between the applicant (home owners) and the homeowners association for the proposed window well to be located within the commons area of the subdivision (Kodiak Commons). The proposed window well does not require a variance because it is allowed to encroach up to five feet into the rear yard setback.

**Site History**

- The Wildwood Lakes Planned Unit Development was approved on March 3, 1981 (SUP #80201).
- Preliminary plat approval was granted for the Wildwood Lakes-Bear Lake subdivision on February 21, 1983 (PP #83012).
- The house was built in 1984.
- A variance was granted in 2010 (ZBA #10-10-13-4) to allow for a zero (0) foot rear yard setback for a deck that extends into the Kodiak commons area.

**Attachments**

1. Application materials
2. Revocable Easement Agreement
3. 2010 (ZBA #10-10-13-4) ZBA surveys
4. Site location map

G:\COMMUN PLNG & DEV\PLNG\ZBA\2018 ZBA\ZBA 18-02-14\ZBA 18-02-14-1 (Comparoni)\STAFF REPORT COMPARONI

Chair Beauchine stated the previous owner of the subject property, did not follow through on the original variance. He added the current request to build a garage on the lot with the house should be dealt with separately from the garage across the street.

Member Jackson said her question was whether or not attaching the garage to house created a practical difficulty. She understood the building of a garage in the rear yard also creates a practical difficulty.

Member Ohlrogge commented the issue was the small front yard. She did not object to a garage, but the garage should meet the required setback.

Member Lane stated the lot was narrow and there was only one location for the garage, but did it create a practical difficulty.

Member Ohlrogge state a single car garage could also be a possibility which would be the minimum necessary.

Member Lane replied if a garage cannot be built on a lot without considering public safety or substantial justice is it really appropriate for that location.

Chair Beauchine commented the request is at least 50% of the lot coverage, which is a large variance request.

Member Lane stated the request did not meet the review criteria, five, six and eight from (Section 86-221) of the Zoning Ordinance; as it was not the minimum action necessary and create a public safety issue. He added if approved it would also adversely affect adjacent land and create a potential situation that was not safe.

MEMBER LANE MOVED TO DENY THE REQUEST BASED ON FAILURE TO MEET THE REVIEW CRITERIA FROM SECTION 86-221 OF THE ZONING ORDINANCE.

SECONDED BY MEMBER JACKSON.

Member Ohlrogge replied the ZBA is looking at the minimum action for a garage which is not an essential structure.

ROLL CALL TO VOTE: YES: Members, Ohlrogge, Rios, Jackson, Lane, and Chair Beauchine.

NO: None

Motion carried unanimously.

**2. ZBA CASE NO. 18-02-14-1 (COMPARONI), 2569 KOALA DRIVE, EAST LANSING, MI, 48823**

DESCRIPTION:	2569 Koala Drive
TAX PARCEL:	17-280-015
ZONING DISTRICT:	RA (Single Family, Medium Density)

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

Section 86-373(e)(5)(c), Rear yard. For lots up to 150 feet in depth, the rear yard shall not be less than 30 feet in depth.

she would be happy to go over the review criteria and answer any questions the ZBA had pertaining to the addition.

Mrs. Comparoni stated the shape of the lot creates a unique circumstance along with the commons area, which is their rear yard. They have maintained and landscaped the rear yard. The deck also extends into the commons area. She added what is considered their side yard is where the addition to the house is proposed.

Mrs. Comparoni commented they purchased the house without knowing the setbacks. Without the variance it would mean losing the open concept for the dining room and create a smaller kitchen. She added the addition would not interfere with the commons area or adversely affect adjacent land or change the essential character in the vicinity of the property. The addition will actually enhance the appearance of the property and neighborhood.

Chair Beauchine questioned the Homeowners Association approval of the expansion, when it is a subdivision within the Township, which has separate zoning requirements than the Homeowners Association.

Principal Planner Menser, confirmed the Homeowners Association approval was for the encroachment of the window well and did not address the building addition. He added approval of the addition is not subject to the Homeowners Association. Approval is only subject to the ZBA allowing an encroachment into the rear yard setback.

Member Jackson added in 2010 the ZBA approved a variance request to allow for a zero (0) foot rear yard setback for the deck extending into the commons area for this property.

MEMBER RIOS MOVED TO GRANT THE VARIANCE GIVEN THE SUPPORT OF THE HOMEOWNERS ASSOCIATION AND NEIGHBORS, WHICH ALLOWED THE DECK TO EXTEND FURTHER THAN THE PROPOSED ADDITION.

MOTION FAILED FOR LACK OF SUPPORT.

Member Lane referenced criteria three, from (Section 86-221) of the Zoning Ordinance, stating a denial would not create a practical difficulty. He added a smaller addition would be more in line with the setback requirements.

Member Ohlrogge read review criteria four, which reads the alleged practical difficulties, which will result from a failure to grant the variance, would unreasonably prevent the owner from using the property for a permitted purpose. She stated denying the variance does not prevent the owner from using the property.

Mrs. Comparoni added that the current kitchen does not have a functional design.

Chair Beauchine stated he did not believe the ZBA could take into account the commons area for the addition to the house.

Member Jackson asked, if there was a legal relationship between the subject property and the commons area that allowed for the encroachment into the commons area.

Member Ohlrogge agreed the Homeowners Association would care about the impact to the commons area, but the ZBA concern is the setbacks.

MEMBER RIOS MOVED TO GRANT THE VARIANCE GIVEN THE SUPPORT OF THE HOMEOWNERS ASSOCIATION AND NEIGHBORS, WHICH ALLOWED THE DECK TO EXTEND FURTHER THAN THE PROPOSED ADDITION.

MOTION FAILED FOR LACK OF SUPPORT.

MEMBER LANE MOVED TO DENY BOTH VARIANCE REQUESTS BASED ON FAILURE TO MEET REVIEW CRITERIA THREE AND FOUR FROM (SECTION 86-221) OF THE ZONING ORDINANCE.

SECONDED BY MEMBER OHLROGGE.

Member Rios stated he is in support of the variances since the deck had been approved by the ZBA, and the encroachment of the addition is less than the deck.

Member Jackson asked did the Homeowners Association approve the deck.

Assistant Planner Chapmen replied the applicant was given an easement to encroach into the commons area for the deck.

ROLL CALL TO VOTE: YES: Members, Ohlrogge, Jackson, Lane.

NO: Member Rios and Chair Beauchine.

Motion carried 3:2.

**G. OTHER BUSINESS**

None.

**H. PUBLIC REMARKS**

None.

**I. BOARD MEMBER COMMENTS**

Member Ohlrogge commented the cases tonight reflect the conflicts the ZBA deal with and how important it is to use the review criteria in determining variance requests.

Member Jackson added it was also not the responsibility of the ZBA to determine how to make requests work.

**J. ADJOURNMENT**

Chair Beauchine adjourned the meeting at 8:45 p.m.

**K. POST SCRIPT – Member Lane**

Respectfully Submitted,

Rebekah Kelly  
Recording Secretary



**To:** Zoning Board of Appeals  
**From:** Keith Chapman, Assistant Planner  
**Date:** March 23, 2018  
**Re:** ZBA Case No. 18-03-28-1 (Miller)

---

**ZBA CASE NO.:** 18-03-28-1 (Miller), 292 East Shoemsmith Road, Haslett, MI 48840  
**DESCRIPTION:** 6115 Marsh Road  
**TAX PARCEL:** 03-326-018  
**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)(a). Front yards. In accordance with the setback requirements of Section 86-367 for the type of street upon which the lot fronts. The required setback from the center of the Marsh Road right-of-way is 100 Feet.

Bryan Miller, the applicant, has requested a variance to construct a 400 square foot attached garage in the front yard setback at 6115 Marsh Road. The approximate 0.32 acre site is zoned RB (Single Family, High Density).

The site plan shows an existing 1,523 square foot single family house built in 1996 with a proposed garage addition on the east side of the house. The proposed garage will be 20 feet by 20 feet for a total of 400 square feet. Section 86-374 (d)(5)(a) requires a 100 foot front yard setback for Principal Arterial roads. Marsh Road runs on a diagonal and a portion of the garage is in the 100 foot setback. At the closest point the garage is proposed to be 94.7 feet from the centerline of the Marsh Road right-of-way (ROW); therefore the applicant is requesting a variance of 5.3 feet.

#### **Attachments**

1. Application materials
2. Site location map
3. Site picture

G:\COMMUN PLNG & DEV\PLNG\ZBA\2018 ZBA\ZBA 18-03-28\ZBA 18-03-28-1 (Miller)\STAFF REPORT MILLER

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

VARIANCE APPLICATION

A. Applicant Bryan Miller  
Address of Applicant 292 E. Shoemith Rd.  
Haskell, MI  
Telephone (Work) 517-281-3950 Telephone (Home) \_\_\_\_\_  
Fax \_\_\_\_\_ Email address: \_\_\_\_\_  
Interest in property (circle one):  Owner  Tenant  Option  Other

B. Site address/location 6115 Marsh Rd. Haskell  
Zoning district RB Parcel number \_\_\_\_\_

C. Nature of request (Please check all that apply):  
 Request for variance(s)  
 Request for interpretation of provision(s) of the "Zoning Ordinance" of the Code of Ordinances  
 Review an order, requirements, decision, or a determination of a Township official charged with interpreting or enforcing the provisions of the "Zoning Ordinance" of the Code of Ordinances

Zoning Ordinance section(s) \_\_\_\_\_

D. Required Supporting Material Supporting Material if Applicable  
-Property survey -Architectural sketches  
-Legal description -Other  
-Proof of property ownership or approval letter from owner  
-Site plan to scale  
-Written statement, which demonstrates how all the review criteria will be met (See next page)

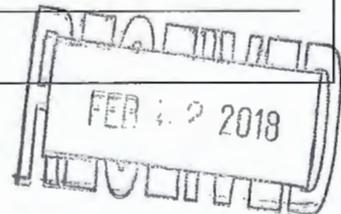
Bryan L Miller Bryan L. Miller 2/12/18  
Signature of Applicant Print Name Date

Fee: 150.00 Received by/Date: Kuelper 2/12/18

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.**)

Bryan L Miller 2/12/18  
Signature of Applicant(s) Date

Signature of Applicant(s) Date



Kenton & Angela Larose Variance[Type here]

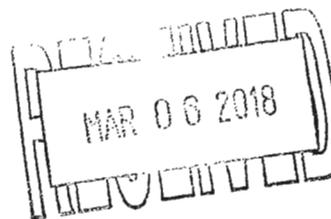
2/27/2018

Larose residence

6115 Marsh Rd

Haslett, Michigan 48840

1. The 100 ft setback along Marsh Rd would prohibit the owners from adding a garage to their home as only the Northeast corner of the Garage would encroach onto the setback by about 5 ft.
2. The issue is not self-created as the owners are requesting a smaller than average 2 car garage.
3. Strict adherence to the setback would make it impossible to add a 2 car Garage and maintain a view of and from the house that is aesthetically pleasing as well as storing items out of sight.
4. Failure to grant the variance would prevent the owners from the convenience and shelter of a Garage not only to keep vehicles secure and out of the weather but would prevent storage of lawn equipment
5. Granting the variance will allow the owners to keep items stored inside and out of public view to maintain an orderly appearance of the property.
6. Granting the variance will maintain the look and feel of surrounding property.
7. This variance request is unique enough that we believe the formulation of a general regulation is unnecessary.
8. This project would fit in with the surrounding structures and land very well.



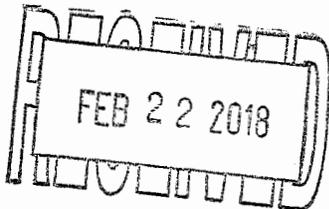
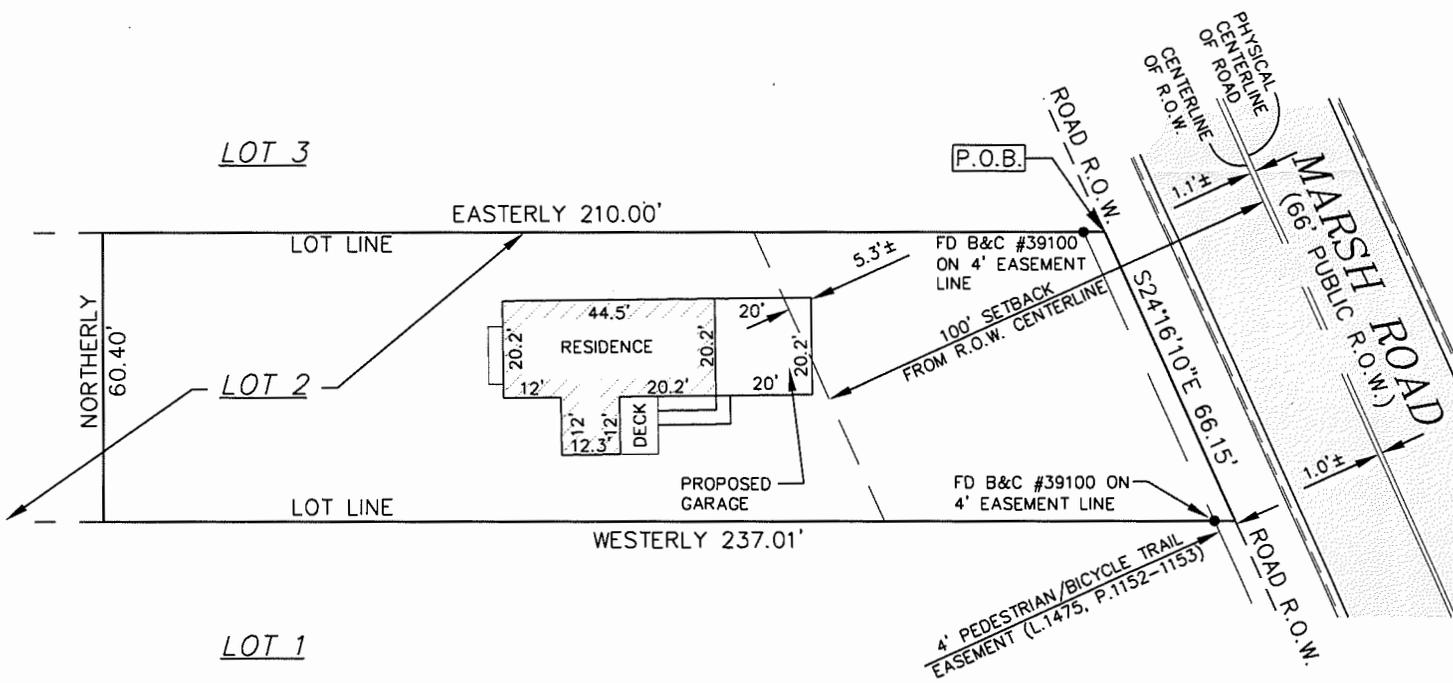
# RESIDENTIAL PLOT PLAN

**PROPERTY DESCRIPTION:**

That part of Lot 2 of Supervisor's Plat No. 4, according to the plat thereof recorded in Liber 9 of Plats, Page 40, Ingham County Records, described as beginning at the Northeast corner of Lot 2; thence South 24° degrees 16 minutes 10 seconds East 66.15 along the East line of Lot 2, (Recorded as South 23 degrees 55 minutes 00 seconds East); thence Westerly 237.01 feet parallel with the South line of Lot 2; thence Northerly, 60.40 feet to a point on the North line of Lot 2, which is 210.00 feet, Westerly from the Northeast corner of Lot 2, which is 210.00 feet, Westerly from the Northeast corner of Lot 2; thence Easterly 210.00 feet along the North line of Lot 2 to the point of beginning.

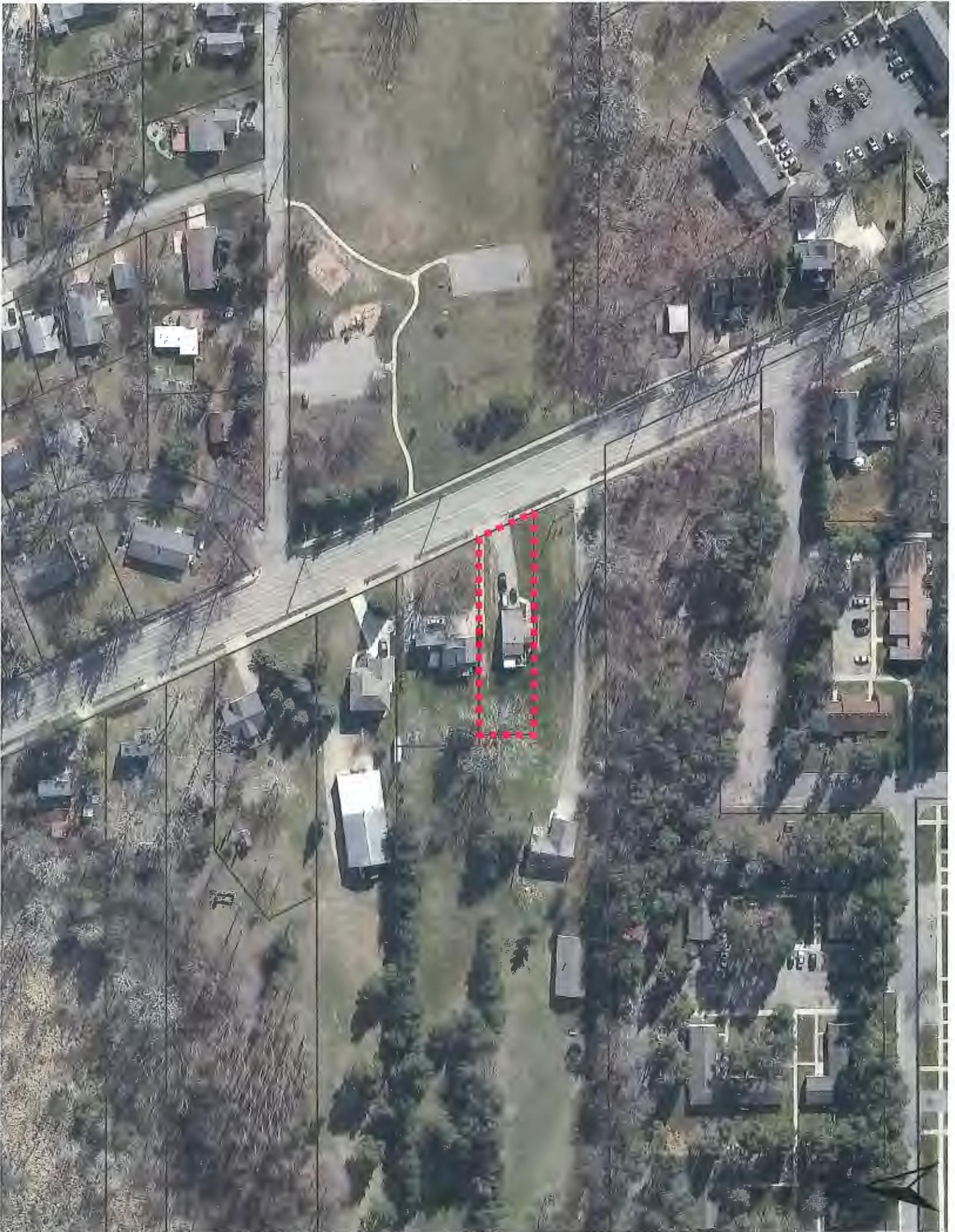


SCALE: 1" = 40'



**LSG** Engineers & Surveyors  
 3135 Pine Tree Road, Suite D, Lansing, MI 48911  
 Ph 517-393-2902 • Fx 517-393-2608

PREPARED FOR: MILLER HOMES 292 SHOESMITH ROAD HASLETT, MI 48840	FIELD WORK BY JS/JZ
	DRAWN BY JML
	CHECKED BY WSF
	PROJECT NO. 2083
DATE JANUARY 24, 2018	SHEET NO. 1 OF 1









**To:** Zoning Board of Appeals  
**From:** Keith Chapman, Assistant Planner  
**Date:** March 23, 2018  
**Re:** ZBA Case No. 18-03-28-2 (Marquie & Peterson)

---

**ZBA CASE NO.:** 18-03-28-2 (Marquie & Peterson), 4565 Hawthorne Lane, Okemos, MI 48864  
**DESCRIPTION:** 4565 Hawthorne Lane  
**TAX PARCEL:** 20-378-008  
**ZONING DISTRICT:** RR (Rural Residential)

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.

Steven Marquie and Georgia Peterson, the applicant, has requested a variance to construct a 14 foot by 20 foot accessory building (workshop) that will project into the front yard located at 4565 Hawthorne Lane. The approximate 1.977 acre site is zoned RR (Rural Residential).

The site plan shows a 280 square foot accessory building proposed in the front yard of the property approximately 100 feet in front of the principal building. The Zoning Ordinance limits accessory buildings only to the side or rear yard and does not allow for accessory buildings to project into the front yard without a variance. The building will be located 215 feet from the front property line and 34 feet from the side property line.

The proposed accessory building will project 125 feet in front of the principal structure, requiring a 125 foot variance.

### Site History

- The 2,075 square foot house was built in 1939.
- A variance was granted in 2010 (ZBA #10-10-13-3) to allow the construction of an accessory structure (garage) to project 28 feet into the front yard.

### Attachments

1. Application materials
2. Site location map
3. Site pictures

G:\COMMUN PLNG & DEV\PLNG\ZBA\2018 ZBA\ZBA 18-03-28\ZBA 18-03-28-2 (Marquie)\STAFF REPORT MARQUIE

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

VARIANCE APPLICATION

A. Applicant STEVEN MARQUIE / GEORGIA Peterson Address of Applicant  
4565 HAWTHORNE LANE  
OKEMOS Telephone (Work) \_\_\_\_\_  
517 927 9822 Telephone (Home) 332 7985 Fax \_\_\_\_\_ Email \_\_\_\_\_  
address: \_\_\_\_\_ Interest in property (circle one): Owner  
Tenant      Option      Other

B. Site address/location \_\_\_\_\_ Zoning district \_\_\_\_\_  
Parcel number 20-378-008

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) 86-565(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)

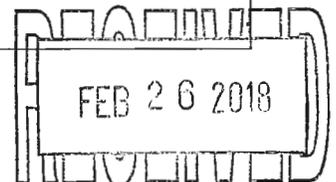
Steve Marquie / Georgia Peterson      STEVE MARQUIE / Georgia Peterson      21 Feb 2018  
Signature of Applicant      Print Name      Date

Fee: 150.00

Received by/Date: [Signature] 2/26/18

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.)**

Georgia Peterson      2-21-18  
Signature of Applicant(s)      Date  
[Signature]      2-21-18  
Signature of Applicant(s)      Date



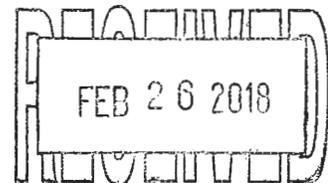
## Variance Application

To: Zoning Board of Appeals  
From : Steve Marquie / Georgia Peterson - Property Owner  
Date: 21 February 2018  
Re: Variance Application

Applicant is proposing to construct a 14' x 20' workshop southwest of the existing detached garage. The site is approximately 40' in front of the house structure and is chosen as the remainder of the property is in the Heron Creek / Red Cedar flood plain. The workshop will project in to the front yard; thus the applicant is requesting a variance.

### Site History

The house was built in 1939  
the garage was built in 2010 ZBA Case #10-10-13-3



w/69tow@egr.msu.edu

March, 2018

Re: Marquie/Peterson Variance Review

4565 Hawthorne Lane

Okemos, MI 48864

Variance Review Items:

- 1) With the exception of the owners' property in front of the house (and the house itself), all remaining property is within a flood plain.
- 2) This is not "self-created" as the west boarder of the property is Heron Creek and the east border is a natural pond created by Heron Creek.
- 3) It is not feasible within "good engineering practices" to construct through the natural flood plain an access road behind the living structure. Such effort would also require removing trees from existing forested land.
- 4) Without a variance to build next to the existing garage in front of the house, the owners would be prevented in having a small hobby workshop.
- 5) The variance will provide the minimum required action permitting the use of the land and will not be in contrary to the public interest, nor affect public safety.
- 6) This small workshop will not affect adjacent property as it is significantly removed from the property line and blocked from view by woods.
- 7) The topography is quite variable in this neighborhood and no "general regulation" is necessary to address this situation.
- 8) By granting the variance, Meridian Township will follow a consistent pattern as reflected in the previous variance granted to this property owner.

# CHARTER TOWNSHIP OF MERIDIAN

Susan McGillicuddy      Supervisor  
Mary M.G. Helmbrecht    Clerk  
Julie Brixie              Treasurer  
Gerald J. Richards        Manager



Brett Dreyfus              Trustee  
Elizabeth Ann LeGoff     Trustee  
Lynn Ochberg             Trustee  
John Veenstra             Trustee

September 24, 2010

**RE:    Zoning Board of Appeals #10-10-13-3 (Steven Marquie)**

Dear Property Owner:

This is to notify you that the Zoning Board of Appeals of the Charter Township of Meridian has scheduled a public hearing for Wednesday, October 13, 2010, regarding a variance request from Steven Marquie. The meeting will begin at 6:30 p.m. in the Town Hall Room of the Meridian Municipal Building, 5151 Marsh Road, Okemos, MI, 48864 (517-853-4560).

The variance request is to construct an accessory structure (garage) which will encroach into the front yard at 4565 Hawthorn Lane.

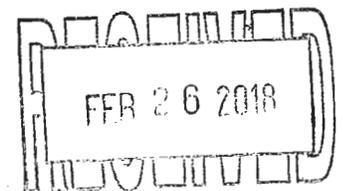
The purpose of the public hearing is to give the Zoning Board of Appeals an opportunity to hear all persons interested and involved in the request. Your comments may be made in writing addressed to the Zoning Board of Appeals at the above address or at the public hearing.

If you have any questions, please feel free to contact me at (517) 853-4580 or email me at [wyatt@meridian.mi.us](mailto:wyatt@meridian.mi.us).

Sincerely,

Martha Wyatt  
Assistant Planner/Landscape Architect

G:\PLANNING\ZBA\2010 ZBA NOTICES\ZBA10-10-13-3\ZBA 10-10-13-3 PROP OWNERS.doc



5151 MARSH ROAD, OKEMOS, MICHIGAN 48864-1198 (517) 853-4000 FAX (517) 853-4096

<http://www.twp.meridian.mi.us>

An Equal Opportunity Employer

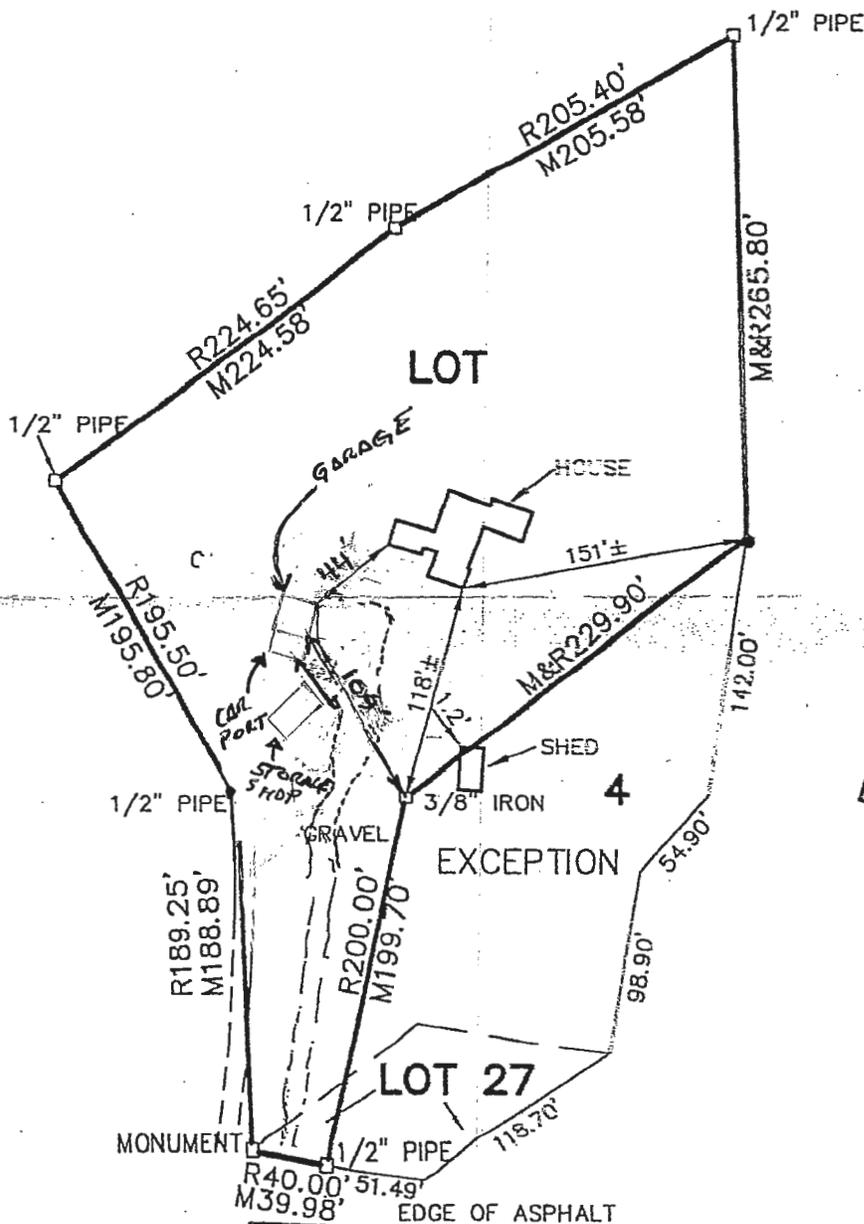
printed on recycled paper

# LOT SURVEY

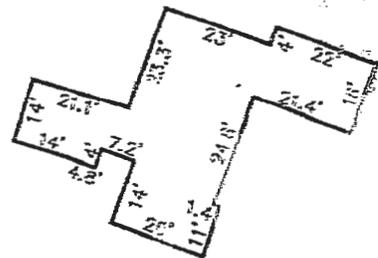
For:  
 MSU Federal Credit Union  
 600 E. Crescent  
 East Lansing, MI 48823

Buyer:  
 Anne Meyering  
 4565 Hawthorn Lane  
 Okemos, MI 48864

Legal Description (as provided): All of Lot #4, Herron Acres Subdivision, and all of Lot #27, of Herron Acres Replat of Lot #1, 2, 9, & 10, except described as: Commencing at a point 40 feet East of the Southwest corner of said Lot #4, thence North 3°15' East 200 feet, thence North 32°53' East 229.9 feet, thence South 10°18' West 142 feet along the Easterly line of said Lot #4, thence Southwesterly 54.9 feet along the Easterly line of Lot #4, thence Southerly 98.9 feet along the lot line, thence Southwesterly 118.7 feet along the lot line to the North line of Hawthorn Lane, thence West 51.49 feet to the point of beginning.



1" = 100'



HOUSE DETAIL  
 1" = 40'

HAWTHORN LANE



Herron Rd

4612

4596

4586

4565

RR

2472

2720

4576

4553

4555

4564

4541

0

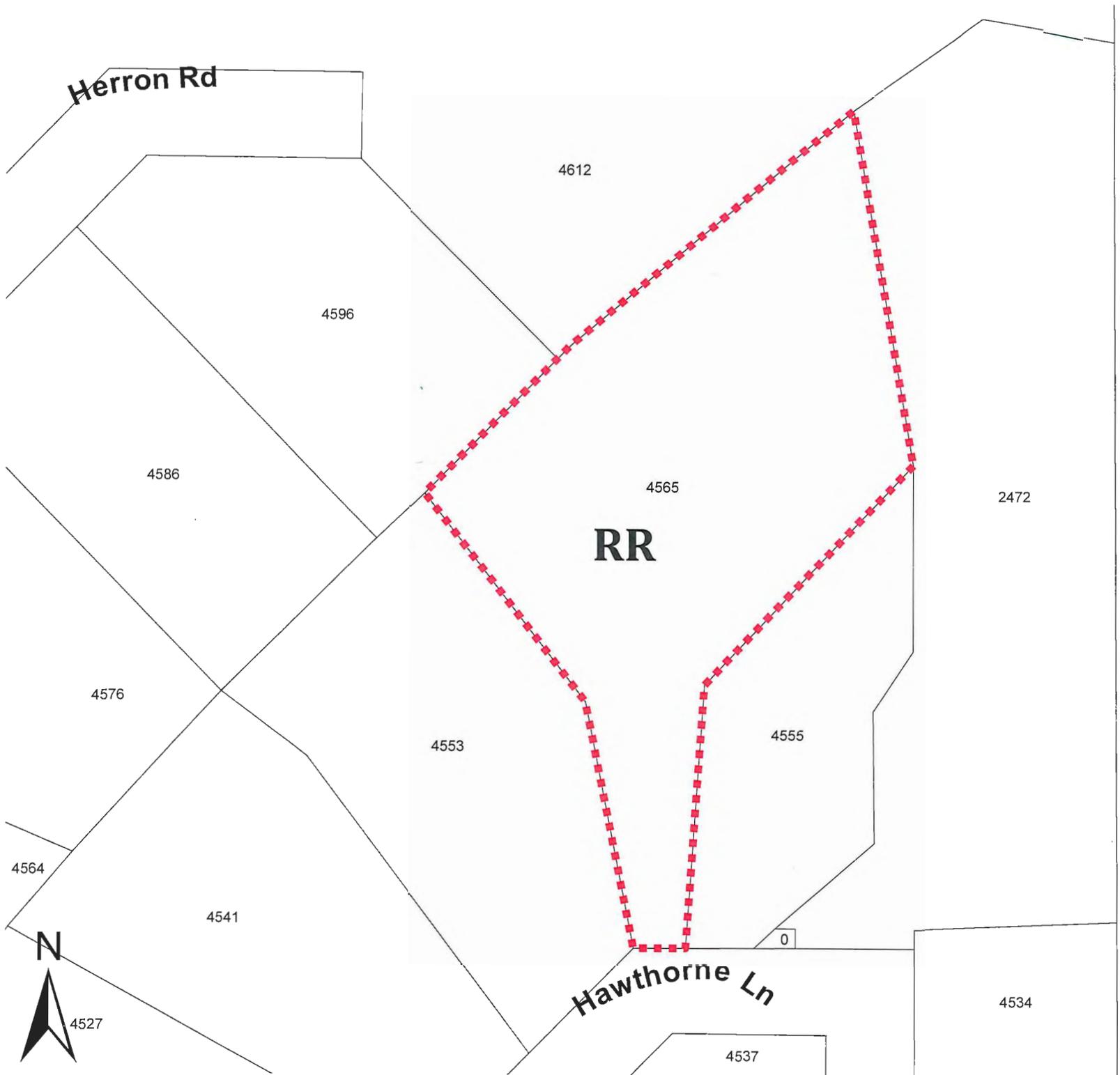
Hawthorne Ln

4534

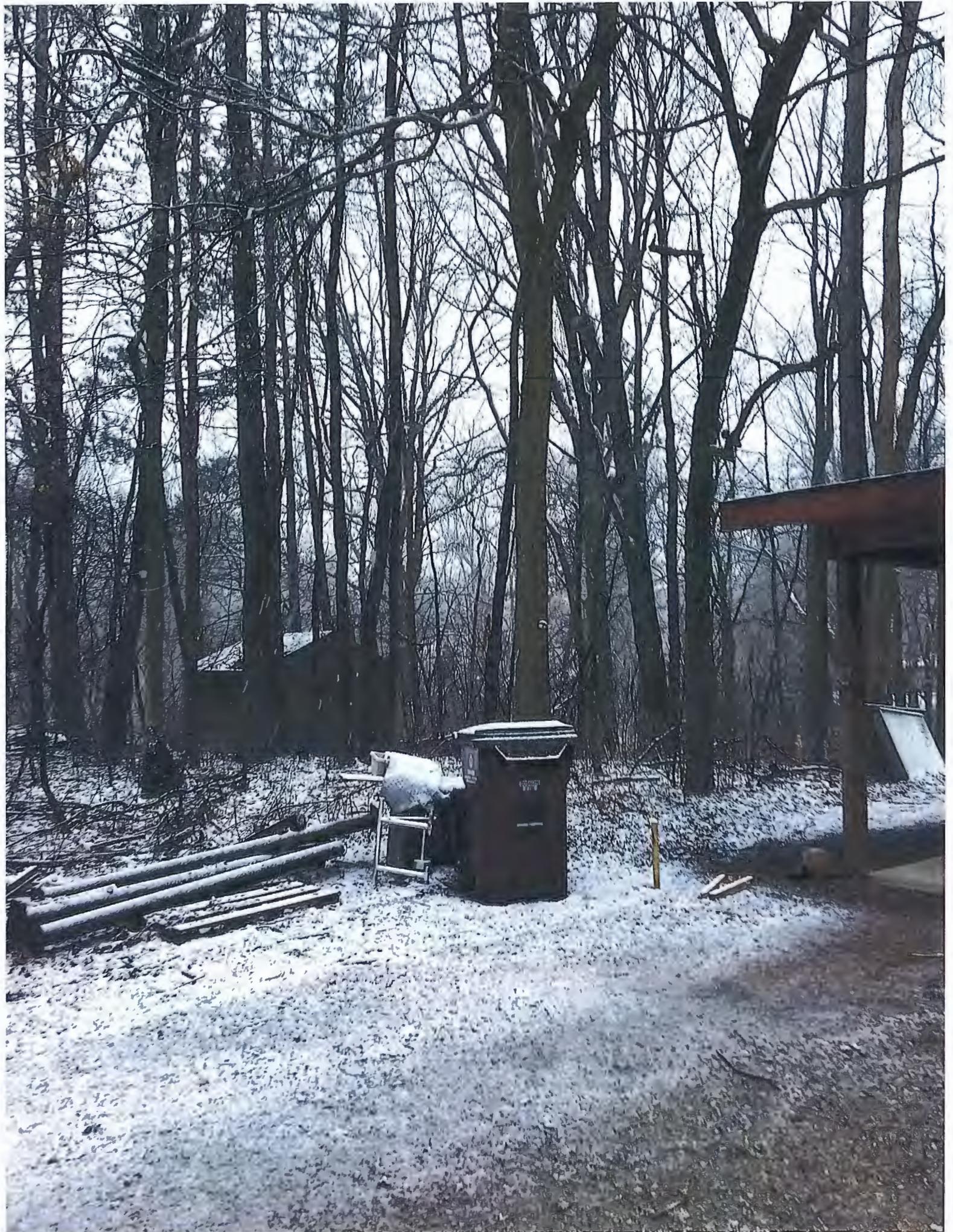


4527

4537









**To:** Zoning Board of Appeals  
**From:** Keith Chapman, Assistant Planner  
**Date:** March 23, 2018  
**Re:** ZBA Case No. 18-03-28-3 (Fearon)

---

**ZBA CASE NO.:** 18-03-28-3 (Fearon), 4749 Central Park Drive Suite B, Okemos, MI 48864  
**DESCRIPTION:** 4749 Central Park Drive Suite B  
**TAX PARCEL:** 22-401-008  
**ZONING DISTRICT:** C-2 (Commercial)

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

- Section 86-402(17). Maximum percentage of impervious surface permitted on a site shall be seventy percent (70%). Impervious surfaces shall include all land covered with paving and buildings. The impervious surface shall be calculated by dividing the total impervious surface by the gross area of the site.

The applicant is requesting to install an addition to an existing deck, to increase the outdoor seating area for an existing restaurant facility currently occupied by Kingston Kitchen. The approximate 0.897 acre site contains a 2 tenant, 6,895 square foot commercial building that is zoned C-2 (Commercial). The existing deck is 264 square feet and the proposed deck addition is 180 square feet in size. With the addition to the deck the percentage of impervious surface coverage on the site exceeds the permitted amount. Therefore, the applicant is requesting a variance to install a deck addition that exceeds the permitted impervious surface coverage.

At the time this site was approved and constructed, the property was zoned CS (Community Service), which allowed a maximum of seventy-five percent (75%) of the site to be covered with impervious material. The site complied with the standard, until 2001, when the property was changed to the C-2 (Commercial) zoning classification by the Township. The C-2 zoning district allows for a maximum of seventy percent (70%) impervious surface coverage on a site. Currently, the subject property contains approximately seventy-four percent (74%) impervious surface coverage, which exceeds the regulations by approximately four percent (4%). A variance was granted in 2003 (ZBA #03-07-23-1) to allow for a 264 square foot deck to make the total impervious surface on the site 9,937 square feet (74.56%). The applicant is now proposing to construct a 180 square foot addition to that deck which will increase the impervious surface coverage to approximately 75.03%. The applicant is requesting a variance to exceed the maximum percent of impervious surface coverage on the site by 0.47%.

**Zoning Board of Appeals**  
**March 28, 2018**  
**RE: ZBA Case No. 18-03-28-3 (Fearon)**  
**Page 2**

**Site History**

- In August of 1997, the Planning Commission approved a Special Use Permit (SUP #97181) to allow the construction of a Rite Aid pharmacy store with a drive-through window on the site.
- In October of 1997, the Township Board approved a Special Use Permit (SUP #97181) to allow two drive-through lanes for the proposed Rite Aid pharmacy store.
- In May of 1998, staff approved a site plan (SPR #97-11) to allow the construction of two retail buildings on the site.
- In July 2003, a variance was granted in 2003 (ZBA #03-07-23-1) to allow for the construction of a 264 square foot deck which brought the total impervious surface on the site to 74.56%.

**Attachments**

1. Application materials
2. Site location map
3. Site pictures

G:\COMMUN PLNG & DEV\PLNG\ZBA\2018 ZBA\ZBA 18-03-28\ZBA 18-03-28-3 (Fearon)\STAFF REPORT FEARON

First

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

RECEIVED

MAR 05 2018

VARIANCE APPLICATION

A. Applicant Shawn Fearon  
Address of Applicant 4749 Central park Dr, Ste B  
Okemos, MI 48864  
Telephone (Work) 517- Telephone (Home) 906-298-1197  
Fax n/a Email address: Chefshawn@thekingstinkitchen.com  
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 4749 Central Park Dr.  
Zoning district \_\_\_\_\_ Parcel number \_\_\_\_\_

C. Nature of request (Please check all that apply):  
 Request for variance(s)  
 Request for interpretation of provision(s) of the "Zoning Ordinance" of the Code of Ordinances  
 Review an order, requirements, decision, or a determination of a Township official charged with interpreting or enforcing the provisions of the "Zoning Ordinance" of the Code of Ordinances

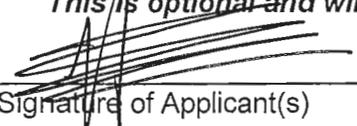
Zoning Ordinance section(s) \_\_\_\_\_

D. Required Supporting Material                      Supporting Material if Applicable  
-Property survey    -Architectural sketches  
-Legal description    -Other  
-Proof of property ownership or approval letter from owner  
-Site plan to scale  
-Written statement, which demonstrates how all the review criteria will be met (See next page)

 \_\_\_\_\_  
Signature of Applicant                      Print Name Shawn Fearon                      Date 2/15/18

Fee: \$450                      Received by/Date: Aileen Mauer 3-5-18

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 2/15/18

\_\_\_\_\_  
Signature of Applicant(s)                      Date

RECEIVED  
MAR 05 2018

Charter Township of Meridian  
Planning Division  
5151 Marsh Road  
Okemos, Michigan 48864

RECEIVED

MAR 05 2018

Kingston Kitchen  
4749 Central Park Drive, Suite B  
Okemos, Michigan 48864

To Whom It May Concern:

Kingston Kitchen requests a special variance to extend the existing wooden deck on the north side of 4749 Central Park Drive. The current structure is 264 square feet. We would like to add fifteen feet in length, an additional 180 square feet.

The additional seating area would be used for outdoor dining of Kingston Kitchen patrons. In the warmer months, May-September, patrons look for outdoor dining experiences. The additional space would allow for more patrons to enjoy the deck along the natural setting of trees set back from the road. It is a quiet, shaded area perfect for lunch and dinner.

The space where the deck addition would reside is currently a flat, grassy area. The addition would not adversely affect other adjacent land. The addition would not alter the character of the building as we would use matching materials to ensure continuity of the structure.

The extension of the structure is within the setback area from the lot line.

The addition would utilize the current points of entry along the sidewalk and to the interior of the restaurant. The deck will remain handicap accessible from both points of entry.

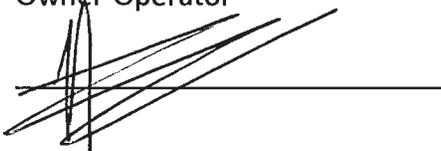
We have additional parking in the rear of building to accommodate the additional seating.

This addition to the current deck would allow more patrons to enjoy the wonderful climate of Michigan summer evenings while dining with friends and family. This will allow Kingston Kitchen to benefit from seasonal dining.

This requested variance will add 0.47% to the total site.

Sincerely,

Shawn Fearon  
Owner-Operator



RECEIVED  
MAR 05 2018



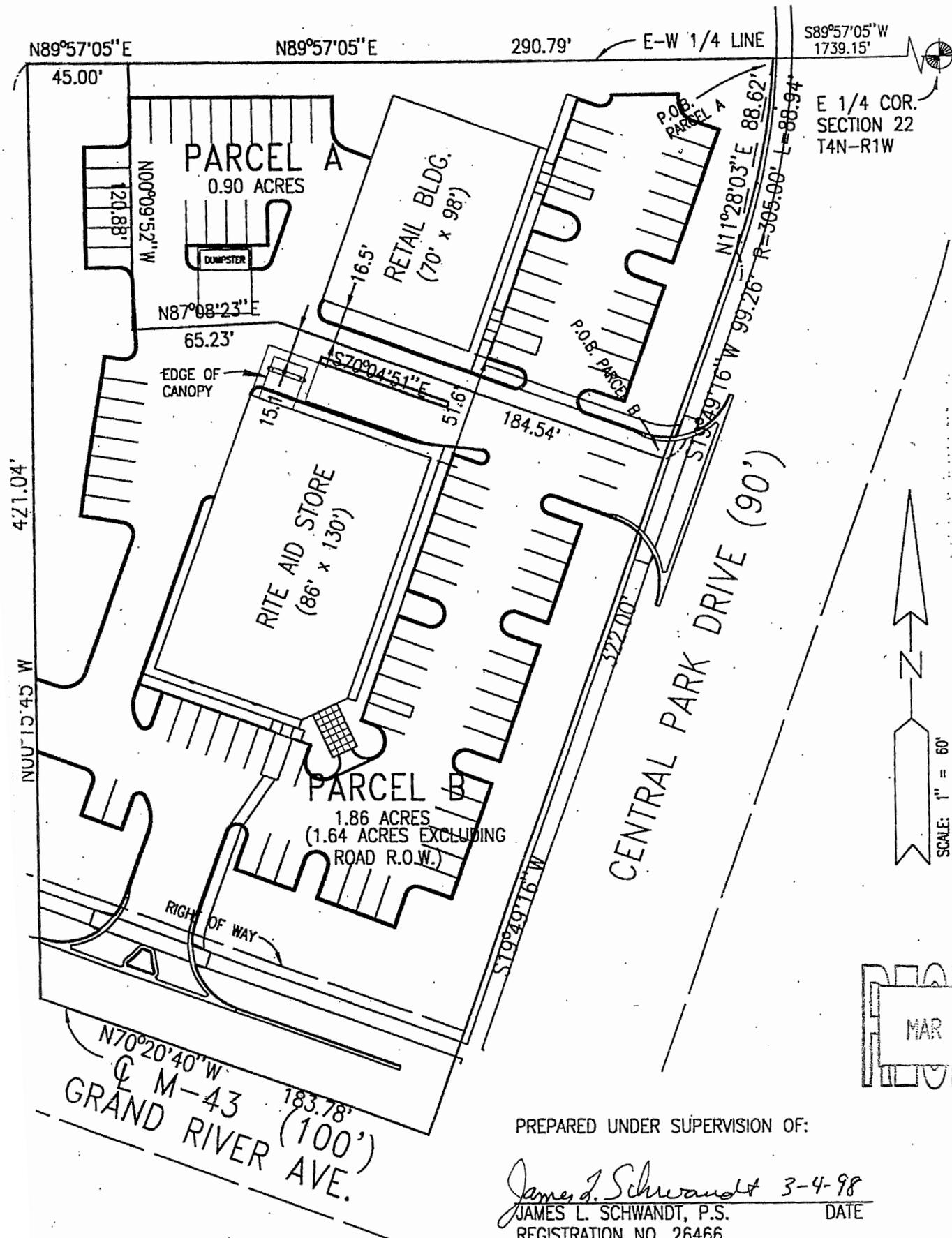
# SURVEY SKETCH

PROPOSED LOT-SPLIT  
SECTION 22, T4N,R1W  
MERIDIAN TWP., MI

**GREENBELT CALCULATIONS**

PARCEL A = 39,064 SFT.  
GREENBELT AREA FOR PARCEL A = 10,201  
10,201/39064 = 26%

PARCEL B = 71,570 SFT. (EXCLUDES ROAD R.O.W.)  
GREENBELT AREA FOR PARCEL B = 23,922 SFT.  
23,922/71,570 = 33%



MAR 05 2018

PREPARED UNDER SUPERVISION OF:

*James L. Schwandt* 3-4-98  
JAMES L. SCHWANDT, P.S. DATE  
REGISTRATION NO. 26466

1: 3/4/98

THE JAR GROUP



**Wade-Trim Inc.**  
128 N. Court St.  
Gaylord, Mi. 49735  
517-732-3584 FAX: 517-732-6391

SEC. 22 , T4N , R1W		
DRAWN	DCD	SHEET 1 OF 1
COMPUTED	JLS	JOB NUMBER

LEGAL DESCRIPTION OF PARENT PARCEL:

Part of the NW 1/4 of the SE 1/4 of Section 22, T4N-R1W, Meridian Township, Ingham County, Michigan, described as commencing at the East 1/4 corner of said section; thence S89°57'05"W, 1,739.15' along the East-West 1/4 line of said section to the Westerly line of "Central Park Drive" and the POINT OF BEGINNING; thence along the Westerly line of said drive, 88.94' along a curve to the right, said curve having a radius of 305.00', a delta angle of 16°42'26", and a long chord of 88.62', which bears S11°28'03"W; thence continuing along said line, S19°49'16"W, 421.26' to the centerline of Grand River Ave.; thence N70°20'40"W, 183.78' along the centerline of said Grand River Ave.; thence N00°15'45"W, 421.04' to the East-West 1/4 line of said Section; thence N89°57'05"E, 335.79' along said line to the Point of Beginning.

LEGAL DESCRIPTION OF NEW PARCELS:

**PARCEL A**

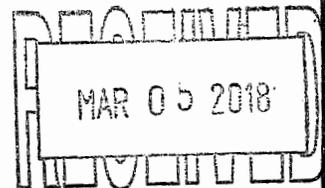
Part of the NW 1/4 of the SE 1/4 of Section 22, T4N-R1W, Meridian Township, Ingham County, Michigan, described as commencing at the East 1/4 corner of said section; thence S89°57'05"W, 1,739.15' along the East-West 1/4 line of said section to the Westerly line of "Central Park Drive" and the POINT OF BEGINNING; thence along the Westerly line of said drive, 88.94' along a curve to the right, said curve having a radius of 305.00', a delta angle of 16°42'26", and a long chord of 88.62', which bears S11°28'03"W; thence continuing along said line, S19°49'16"W, 99.26'; thence N70°04'51"W, 184.54'; thence S87°08'23"W, 65.23'; thence N00°09'52"W, 120.88' to the East-West 1/4 line of said section; thence N89°57'05"E, 290.79' along said line to the Point of Beginning. Parcel contains 0.90 acres of land, more or less. Subject to easements, restrictions and right-of-ways of record, if any.

**PARCEL B**

Part of the NW 1/4 of the SE 1/4 of Section 22, T4N-R1W, Meridian Township, Ingham County, Michigan, described as commencing at the East 1/4 corner of said section; thence S89°57'05"W, 1,739.15' along the East-West 1/4 line of said section to the Westerly line of "Central Park Drive"; thence along the Westerly line of said drive, 88.94' along a curve to the right, said curve having a radius of 305.00', a delta angle of 16°42'26", and a long chord of 88.62', which bears S11°28'03"W; thence continuing along said drive, S19°49'16"W, 99.26' to the POINT OF BEGINNING; thence continuing along said drive, S19°49'16"W, 322.00' to the centerline of State Highway M-43 (also known as Grand River Avenue); thence along said centerline N70°20'40"W, 183.78'; thence N00°15'45"W, 421.04' to the East-West 1/4 line of said section; thence N89°57'05"E, 45.00'; thence S00°09'52"E, 120.88'; thence N87°08'23"E, 65.23'; thence S70°04'51"E, 184.54' to the Point of Beginning. Parcel contains 1.86 acres of land, more or less. Subject to a 50.00' right-of-way for Grand River Avenue along the Southerly line thereof. Also, subject to easements, restrictions and right-of-ways of record, if any.

PREPARED UNDER THE SUPERVISION OF:

*James L. Schwandt* 3-4-98  
James L. Schwandt, PS  
Registration No. 26466



REVISED: 3/4/98

THE JAR GROUP	 <b>Wade-Trim Inc.</b> 128 N. Court St. Gaylord, Mi. 49735 517-732-3584 FAX: 517-732-6391	SEC. 22 , T4N , R1W	
		DRAWN	DCD SHEET 1 OF 2
		COMPUTED	JLS JOB NUMBER GSU4441-01G



Central Park Dr

W Grand River Ave



**RC**

4800

**C-3**

1728

4749

**C-2**

**RA**

**C-3**

1664

4750

1622

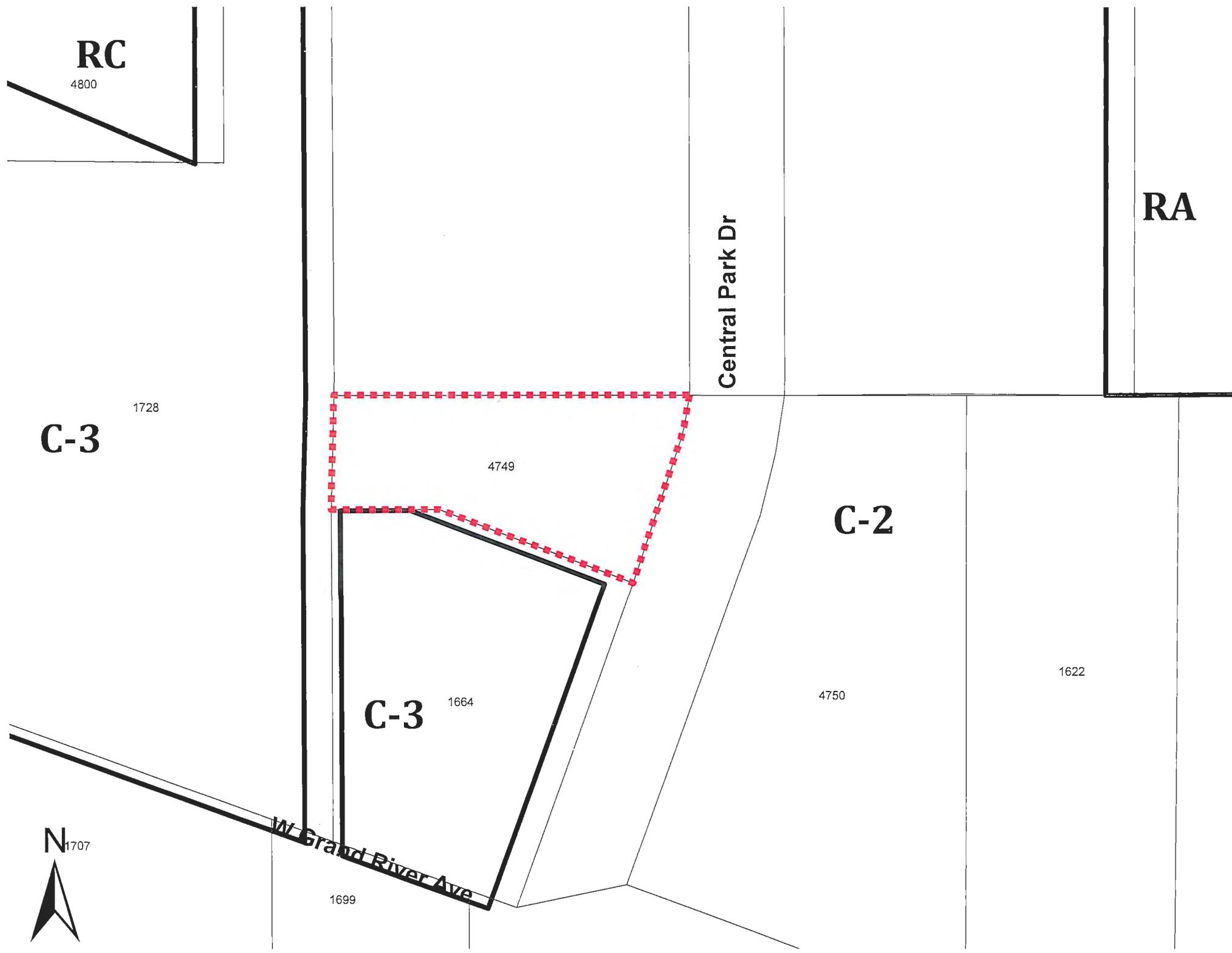
**N**

1707

**W Grand River Ave**

**Central Park Dr**

1699





THE KINSSTON CENTER FOR COMMUNITY DEVELOPMENT  
1111 N. W. 10th St. Ft. Lauderdale, FL 33304  
Phone: (954) 561-1111  
Fax: (954) 561-1112  
www.kinsston.org



