

CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING AGENDA  
5151 MARSH ROAD, OKEMOS, MI 48864-1198  
(517) 853-4000  
WEDNESDAY, MAY 8, 2013, 6:30 PM  
TOWN HALL ROOM, OPEN TO PUBLIC

- A. CALL MEETING TO ORDER
- B. APPROVAL OF AGENDA
- C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES
  - o Wednesday April 10, 2013
- D. UNFINISHED BUSINESS
- E. NEW BUSINESS

- 1. ZBA CASE NO. 13-05-08-1 MERIDIAN TWP. DEPT. OF PUBLIC WORKS & ENGINEERING, 5151 MARSH ROAD, OKEMOS, MI 48864
  - DESCRIPTION: Shaw Street & Lake Lansing
  - TAX PARCEL: 10-279-033
  - ZONING DISTRICT: CR (Commercial Recreation)

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

- Section 86-471(b)(5), which states all structures and grading activities shall be setback forty (40) feet from the ordinary high-water mark of a lake equal to or greater than two acres in area.
- Section 86-471(c)(4), which states a twenty (20) foot natural vegetation strip shall be maintained as measured from the ordinary high water mark of a lake.

The applicant is proposing to construct a bioswale within the grading setback and natural vegetation strip of Lake Lansing, as part of a stormwater drainage improvement project in Lake Lansing Park South; therefore the applicant is requesting variances.

- 2. ZBA CASE NO. 13-05-08-2 NISSAN LANSING, 1728 GRAND RIVER AVENUE, OKEMOS, MI 48864
  - DESCRIPTION: 1728 Grand River Avenue
  - TAX PARCEL: 22-401-010
  - ZONING DISTRICT: C-3 (Commercial)

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

- Section 86-687(3)a., which states one (1) wall sign shall be permitted and may be located flat against the building's front façade on a canopy. For businesses with frontage on more than one (1) public street, two (2) signs may be permitted. In no case shall more than one (1) wall sign be located on a façade and no wall sign shall be located on a rear façade.

The applicant is requesting to install two wall signs on the front façade of the building and one wall sign is permitted; therefore the applicant is requesting a variance.

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

F. OTHER BUSINESS

G. PUBLIC REMARKS

H. BOARD MEMBER COMMENTS

I. ADJOURNMENT

J. POST SCRIPT –NO POST SCRIPT

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

BRETT DREYFUS  
TOWNSHIP CLERK

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#### ZONING BOARD OF APPEALS PUBLIC HEARING PROCEDURE

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

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

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

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CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING MINUTES \*\*\*DRAFT\*\*\*  
5151 MARSH ROAD, OKEMOS MI 48864-1198  
517.853.4000  
WEDNESDAY, APRIL 10, 2013

PRESENT: Members, Jackson (arrived 6:35 pm), LeGoff, Ohlrogge, Hershiser, Chair Beauchine  
ABSENT: None  
STAFF: Martha Wyatt, Associate Planner/Landscape Architect;  
Mark Kieselbach, Director of Community Planning & Development

**A. CALL MEETING TO ORDER**

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

**B. APPROVAL OF AGENDA**

MEMBER HERSHISER MOVED TO APPROVE THE AGENDA AS WRITTEN

SECONDED BY MEMBER LEGOFF

VOICE VOTE: Motion carried 4-0.

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

Wednesday, March 27, 2013

MEMBER HERSHISER MOVED TO APPROVE THE MINUTES AS WRITTEN

SECONDED BY MEMBER LEGOFF

VOICE VOTE: Motion carried 4-0.

**D. UNFINISHED BUSINESS**

None

**E. NEW BUSINESS**

**1. ZBA CASE NO. 13-04-10-1 MARK BECKER, 2685 LINDEN STREET, EAST LANSING, MI 48823**

DESCRIPTION: 2685 Linden Street  
TAX PARCEL: 17-253-005  
ZONING DISTRICT: RA (Single Family, Medium Density)

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

- Section 86-373(e)(5)a., which states the front yard shall be in accordance with the setback requirements of Section 86-367 for the type of street upon which the lot fronts. Linden Street is classified as a local street, which has a required setback of twenty-five (25) feet from the street right-of-way.

The applicant is proposing to construct a roof over an open deck on the front of the house and the support posts for the roof do not meet the required front yard setback; therefore the applicant is requesting a variance.

Ms. Wyatt outlined the case for discussion.

Mr. Mark Becker, 2685 Linden Street, the applicant, said he did not have anything to add to Ms. Wyatt's outline but he would answer any questions.

Member Ohlrogge asked the applicant if he had any plans to extend the roof further than the two and a half feet allowed by the ordinance.

Mr. Becker stated he would not be extending the roof beyond two feet which is allowed by the ordinance.

Member Ohlrogge said the roof would help protect the deck from inclement weather which would increase the safety of the home.

Chair Beauchine said he would support the variance.

MEMBER LEGOFF MOVED TO APPROVE THE VARIANCE AS REQUESTED

SECONDED BY MEMBER OHLROGGE

Member Ohlrogge outlined the review criteria (Section 86-221) as they apply to the posts to hold up the porch's roof.

VOICE VOTE: YES: Member Legoff, Ohlrogge, Jackson, Hershiser and Chair Beauchine  
NO: None  
Motion carries 5-0

2. ZBA CASE NO. 13-04-10-2 STEVE LEE, 6214 TOWAR AVENUE, EAST LANSING, MI 48823  
DESCRIPTION: 6215 Rutherford Avenue  
TAX PARCEL: 06-327-062  
ZONING DISTRICT: RB (Single Family, High Density)

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

- Section 86-502, which states an accessory building not attached and not made a part of the principal building shall not be nearer than ten feet from any other separate structure on the same lot.

The applicant has located an accessory building (detached shed) in the rear yard and the shed does not meet the required 10 foot setback from the house/deck; therefore the applicant is requesting a variance.

Ms. Wyatt outlined the case for discussion.

Mr. Steve Lee, 6214 Towar Avenue, the applicant, stated he was unaware of the rules during construction. He remarked he was made aware of the rules during a rental housing inspection by the Township. He said he is attempting to make the project conform to the ordinances. He explained the shed was placed in the current location because it was the only place where it would not be standing in water or too close to a mature tree. Mr. Lee said the lot floods seasonally and that spot is on the highest point.

Ms. Wyatt stated the fire inspector had no problems with the current location of the shed from a safety standpoint.

Member Hershiser asked if the deck was built before the shed.

Mr. Lee said yes, the deck was built prior to the shed.

Member Ohlrogge went over the review criteria (Section 86-221) as it applies to the shed.

Member LeGoff voiced her support since the location was approved by the fire inspector and meets the review criteria.

Member Jackson asked if the deck was attached to the house.

Mr. Lee said the deck was not attached to the house.

Ms. Wyatt stated the deck still has to meet setback requirements even if it is not attached to the house.

Chair Beauchine said he thought the shed should be located in a more appropriate place because any variance granted would remain with the property forever and could cause problems in the future.

Member Jackson said she agreed with Chair Beauchine, the shed should be re-located.

Member Ohlrogge commented with the trees in the yard it would be really difficult to find a more appropriate place for the shed.

**MEMBER OHRLOGGE MOVED TO APPROVE THE VARIANCE AS REQUESTED**

**SECONDED BY MEMBER LEGOFF**

Member Hershiser commented the size of the shed is rather large and if it were smaller it may not require a variance. He said there are several options to have a shed that would not require a variance.

VOICE VOTE: YES: Member Ohlrogge and LeGoff  
NO: Member Hershiser, Jackson and Chair Beauchine  
Motion failed 2-3

**MEMBER HERSHISER MOVED TO DENY THE VARIANCE BECAUSE THERE ARE SEVERAL OPTIONS FOR LOCATING A SHED THAT WOULD NOT REQUIRE ANY VARIANCE**

**SECONDED BY MEMBER JACKSON**

VOICE VOTE: YES: Member Hershiser, Member Jackson and Chair Beauchine.  
NO: Member Legoff and Member Ohlrogge  
Motion carries 3-2.

**F. OTHER BUSINESS**

None

**G. PUBLIC REMARKS**

None

**H. BOARD MEMBER COMMENTS**

None

**I. ADJOURNMENT**

Chair Beauchine adjourned the meeting at 7:08 p.m.

Respectfully Submitted,

Angela M. Ryan  
Recording Secretary



## VARIANCE APPLICATION SUPPLEMENT

### A variance will be granted, if the following Review Criteria are met:

1. Unique circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district.
2. These special circumstances are not self-created.
3. Strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties.
4. 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 or would render conformity with such restrictions unnecessarily burdensome.
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, the purposes and intent of this Zoning Ordinance.

### Effect of Variance Approval:

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

### Reapplication:

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

# MEMORANDUM

TO: Zoning Board of Appeals

FROM:   
Martha K. Wyatt  
Associate Planner/Landscape Architect

DATE: May 3, 2013

RE: ZBA Case No. 13-05-08-1

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ZBA CASE NO.: 13-05-08-1 MERIDIAN TOWNSHIP DEPT. OF PUBLIC WORKS & ENGINEERING, 5151 MARSH ROAD, OKEMOS, MI 48864  
DESCRIPTION: East of Shaw Street, south of Lake Lansing Road (Lake Lansing Park South), and along Lake Lansing  
TAX PARCEL: 10-279-033  
ZONING DISTRICT: CR (Commercial Recreation)

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

- Section 86-471(b)(5), which states all structures and grading activities shall be setback forty (40) feet from the ordinary high-water mark of a lake equal to or greater than two acres in area.
- Section 86-471(c)(4), which states a twenty (20) foot natural vegetation strip shall be maintained as measured from the ordinary high water mark of a lake.

The Meridian Township Department of Public Works and Engineering (applicant) is proposing a stormwater improvement project in Lake Lansing Park South, east of Shaw Street, near the southernmost dock in the park. The project is part of the on-going Lake Lansing Watershed management plan which is administered by the Lake Lansing Assessment District Advisory Committee. The proposed project includes the removal of an existing 15" diameter storm pipe (culvert) and a corroded storm outlet pipe which currently discharges untreated stormwater into Lake Lansing. The main objective of the project is to improve the quality of the stormwater by providing pretreatment via a 125-foot long bio-swale. Stormwater runoff from the street will flow into the proposed bio-swale and will be absorbed into the ground. Two (2) check dams are proposed within the bio-swale which serve to slow down the velocity of the stormwater. The bio-swale ends in a lawn area, approximately 30 feet from the edge of Lake Lansing.

The project area for the proposed bio-swale is located in the lawn east of Shaw Street, between the edge of the street and the water's edge of Lake Lansing. The 100-year floodplain (elevation of 853.10 feet above mean sea level) is located within the project area. The applicant has applied for a special use permit (Special Use Permit #13051) for the proposed work in the 100-year floodplain. SUP #13051 is scheduled for a public hearing to be held at the May 13, 2013 meeting of the Planning Commission. An approved permit has been issued by the Michigan Department of Environmental Quality (MDEQ) for the proposed work.

The proposed bio-swale design includes the use of special plants to absorb and to capture suspended solids before reaching Lake Lansing. The bio-swale is approximately one (1) foot deep and varies in width from four (4) feet to nine (9) feet. A 40-foot structure and grading setback and a 20-foot natural vegetation strip are associated with Lake Lansing, as measured from the ordinary high-water mark (elevation of 852.29 feet above mean sea level). Approximately 50 lineal feet of the proposed bio-swale is located entirely within the 40-foot structure and grading setback and the twenty (20) foot natural vegetation strip of Lake Lansing. Grading activities will occur within the setback and the natural vegetation strip; therefore the applicant is requesting variances from Section 86-471(b)(5) and Section 86-471(c)(4).

The following chart outlines the variance request:

	<b>Required Setback</b>	<b>Proposed Setback</b>	<b>Variance Request</b>
Setback from lake	40 feet	0 feet	40 feet
Natural Vegetation Strip	20 feet	0 feet	20 feet

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

- The applicant shall obtain an approved special use permit from the Township (SUP #13051).
- The applicant shall obtain a soil erosion and sedimentation control (SESC) permit from the Township Department of Public Works and Engineering. The proposed project shall adhere to all conditions of an approved SESC permit.
- Prior to any construction or grading activities, the applicant shall obtain all necessary permits and approvals from the Township and the Michigan Department of Environmental Quality.
- The applicant shall install erosion control silt fencing along the upland edge of the 40-foot setback in areas not affected by construction activities.

**Site History**

- Special Use Permit #13051 for the proposed work in the 100-year floodplain is currently under review.

**Attachments**

1. Application
2. Site Location Map
3. Letter from Applicant dated April 12, 2013
4. Project Over-view from Applicant dated April 12, 2013
5. Letter from Willis Bennett, Director of Ingham County Parks, dated February 13, 2013
6. Permit from Michigan Department of Environmental Quality (MDEQ), issued April 4, 2013
7. Site Plan

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

VARIANCE APPLICATION

- A. Applicant Public Works & Engineering  
Address of Applicant 5151 Marsh Road, Okemos, MI, 48864
- Telephone (Work) 517-853-4460 Telephone (Home) \_\_\_\_\_  
Fax \_\_\_\_\_ Email address: ISHRAIDI@MERIDIAN.MI.US  
Interest in property (circle one): Owner Tenant Option **Other**  
The property is owned by Ingham County Parks
- B. Site address/location Lake Lansing Park South @ Shaw & Lake Lansing Roads  
Zoning district CR Parcel number 33-02-02-10-279-033
- C. Nature of request (Please check all that apply):  
 **Request for variance(s)**  
 Request for interpretation of provision(s) of the "Zoning Ordinance" of the Code of Ordinances  
 Review an order, requirements, decision, or a determination of a Township official charged with interpreting or enforcing the provisions of the "Zoning Ordinance" of the Code of Ordinances

Zoning Ordinance section(s) 86-471

- 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)

*James Isidori*  
Signature of Applicant

YOUNES ISHRAIDI  
Print Name

4-11-2013  
Date

Fee: NA

Received by/Date: Mantha Wyatt 4/12/13

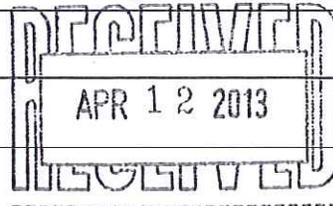
*I (we) hereby grant permission for members of the Charter Township of Meridian Zoning Board of Appeals, Township staff members and the Township's representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the 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.)*

*James Isidori*  
Signature of Applicant(s)

4-11-2013  
Date

Signature of Applicant(s)

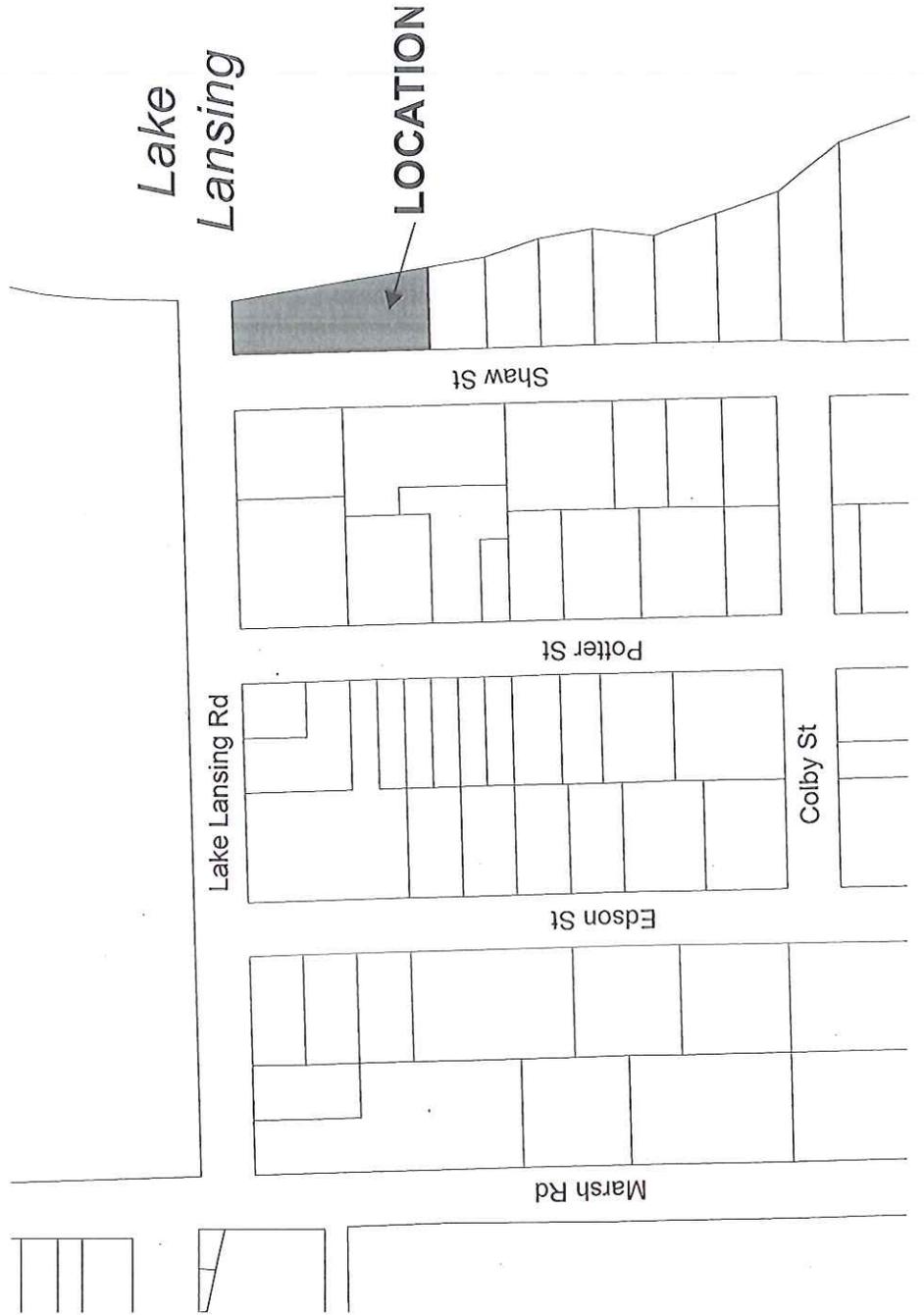
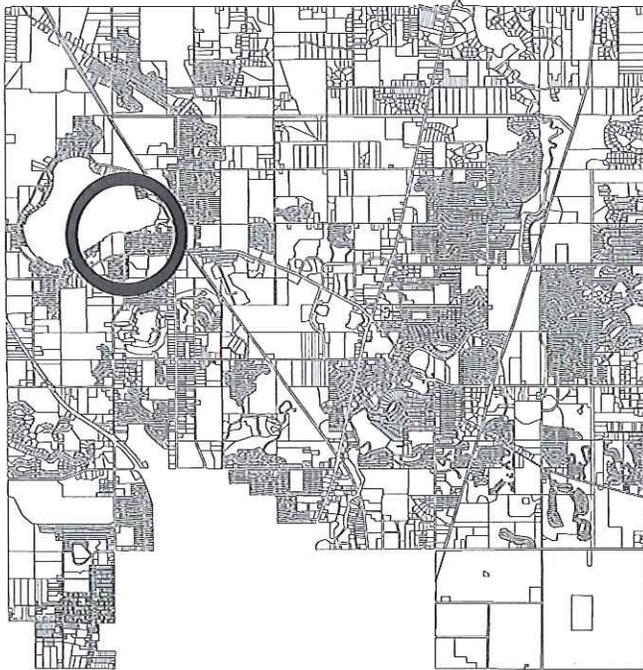
Date



**ZONING BOARD OF APPEALS #13-05-08-1  
(MERIDIAN TWP. ENGINEERING DEPT.)**

**REQUEST TO CONSTRUCT BIOSWALE  
AND GRADE WITHIN NATURAL VEGETATION  
STRIP OF LAKE LANSING NEAR THE INTERSECTION  
OF LAKE LANSING ROAD AND SHAW STREET**

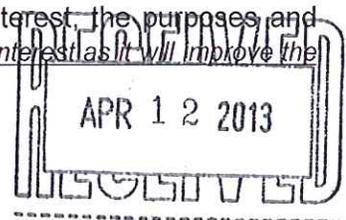
**CHARTER TOWNSHIP OF MERIDIAN**



## 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. The work must be done in the subject area due to the existing outlet in this area.
2. These special circumstances are not self-created. The existing outlet pipe is already within the lake setback. The work cannot be done without being in the setback.;
3. Strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties. Again, removal of the outlet pipe cannot be done without entering the setback. The bio-swale downstream must be within the setback to allow positive drainage under normal conditions.
4. 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 or would render conformity with such restrictions unnecessarily burdensome. The site is a public beach area; removal of the corroded pipe will improve the use of the area.
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. Yes to all.
6. Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property. Yes.
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. The location is unique in that it is a public beach area that has a physical hazard and a source of pollution; by granting the variance the hazard will be eliminated and the lake quality will improve.
8. Granting the variance will be generally consistent with public interest, the purposes and intent of this Zoning Ordinance. This project is all about the public interest as it will improve the quality of the lake.



### Effect of Variance Approval:

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

### Reapplication:

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

April 12, 2013

Planning Commission  
Zoning Board of Appeals

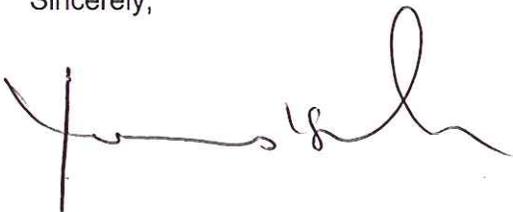
Re: Lake Lansing Outlet #12 Improvements

The proposed project is part of the ongoing Lake Lansing Watershed management plan which is administered by the Lake Lansing Special Assessment District Advisory committee. The main objective of the project is to improve the water quality of the stormwater that is currently discharging directly to the lake at outlet #12, which is one of several orphan drains that discharge untreated to Lake Lansing. The other objective of the project is to remove a safety hazard from the public beach area, which is a corroded outlet pipe.

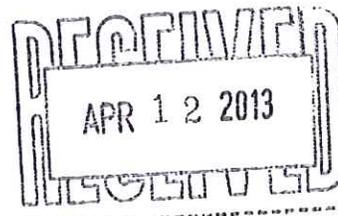
The proposed method utilizes a bio-swale design that includes the use of special plants to absorb the nutrients and to capture suspended solids before reaching Lake Lansing.

The project will involve the removal of 93' of 15" diameter storm pipe that drain to Lake Lansing, and the construction of 125' of bioswale channel to replace the 15" pipe. Section of the work area will be located within the floodplain and the regulated 40' lake setback.

Sincerely,



Younes Ishraidi, PE  
Chief Engineer  
Meridian Township  
5151 Marsh Road  
Okemos, MI 48864  
(517) 853-4460



February 13, 2013

**To Whom It May Concern:**

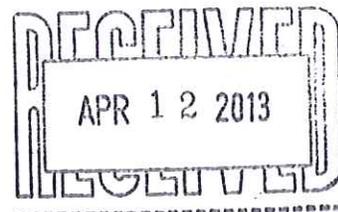
The Ingham County Parks Department, as property owner for this project, authorizes Progressive AE to act as Agent, and Meridian Township to act as Applicant for submitting a permit application to the Michigan Department of Environmental Quality to remove a storm drain pipe and replace it with a bioswale on the Lake Lansing Park-South property.

Sincerely,



Willis Bennett, Director  
Ingham County Parks

S:\PKO\LAKELANS\SAILAWAY\Agent Authorization Storm Drain Removal 021313.doc



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**Ingham County Parks & Recreation Department**

121 E. Maple St., PO Box 178, Mason, MI 48854  
Phone: (517) 676-2233 Fax: (517) 244-7190  
www.inghamcountyparks.org email: parks@ingham.org



**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER RESOURCES DIVISION  
PERMIT**

**ISSUED TO:**

Meridian Township  
5151 Marsh Road  
Okemos, Michigan 48864

<b>Permit No.</b>	13-33-0009-P
<b>Issued</b>	April 4, 2013
<b>Extended</b>	
<b>Revised</b>	
<b>Expires</b>	April 4, 2018

This permit is being issued by the Michigan Department of Environmental Quality (MDEQ) under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and specifically:

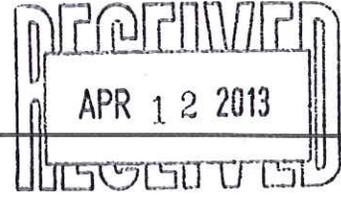
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|--|---|
| <input checked="" type="checkbox"/> Part 301, Inland Lakes and Streams             | <input type="checkbox"/> Part 315, Dam Safety                           |
| <input type="checkbox"/> Part 325, Great Lakes Submerged Lands                     | <input type="checkbox"/> Part 323, Shorelands Protection and Management |
| <input type="checkbox"/> Part 303, Wetlands Protection                             | <input type="checkbox"/> Part 353, Sand Dunes Protection and Management |
| <input checked="" type="checkbox"/> Part 31, Floodplain/Water Resources Protection |   |

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

**Permitted Activity:**

**Construct an upland bio-swale with a discharge to Lake Lansing at Lake Lansing Park South at Shaw and Lake Lansing Roads.**

All work shall be completed in accordance with the attached plans, terms and conditions of this permit.



**Water Course Affected:** Lake Lansing

**Property Location:** Ingham County, Meridian Township, Section 10

**Subdivision, Lot                      Town/Range 4N, 1W    Property Tax No. 33-02-02-10-279-033**

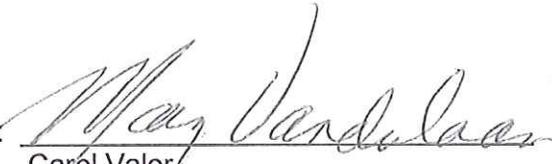
**Authority granted by this permit is subject to the following limitations:**

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31, Water Resources Protection, of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with Act 53 of the Public Act of 1974 and comply with each of the requirements of that Act.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify the MDEQ within one week after the completion of the activity authorized by this permit, by completing and forwarding the attached preaddressed postcard to the office addressed thereon.
- J. This permit shall not be assigned or transferred without the written approval of the MDEQ.

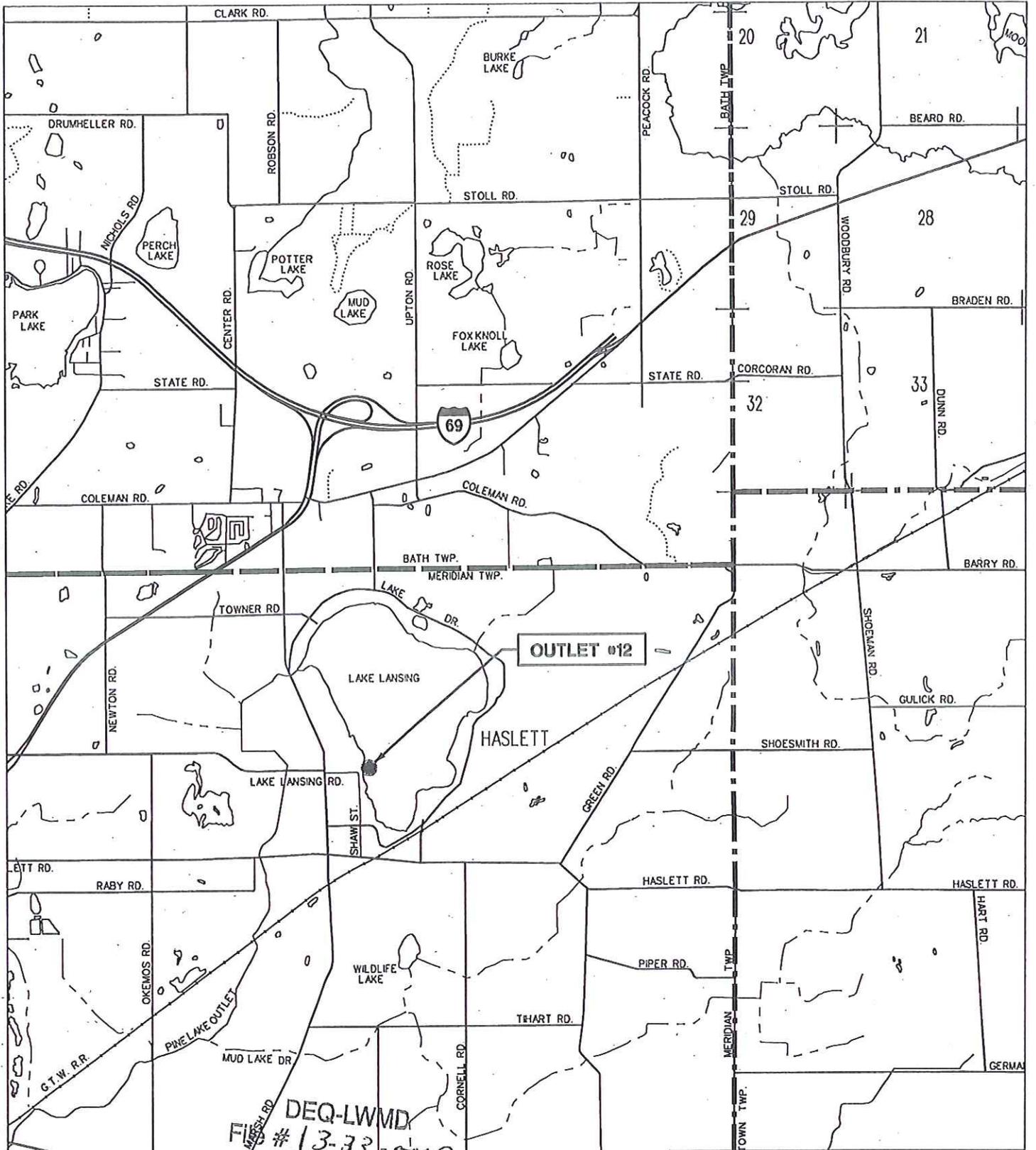
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31, and wetland).
- M. In issuing this permit, the MDEQ has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, the MDEQ may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents and representatives for any and all claims or causes of action arising from acts or omissions of the permittee or employees, agents, or representatives of the permittee undertaken in connection with this permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the MDEQ may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from the MDEQ. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.
- Q. This permit may be transferred to another person upon written approval of the MDEQ. The permittee must submit a written request to the MDEQ to transfer the permit to the new owner. The new owner must also submit a written request to the MDEQ to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties which includes all the above information may be provided to the MDEQ. The MDEQ will review the request and if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent.
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the waterbody are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the MDNR, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
  - 1. Prior to initiating construction, authorized by this permit, the permittee is required to provide a copy of the permit to the contractor(s) for review.
  - 2. The property owner, contractor(s), and any agent involved in exercising this permit are held responsible to ensure the project is constructed in accordance with all drawings and specifications contained in this permit. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by this permit.
  - 3. Dredging is not authorized by this permit.

4. All raw areas resulting from the permitted construction activity shall be promptly and effectively stabilized with sod and/or seed and mulch (or other technology specified by this permit or project plans) in a sufficient quantity and manner to prevent erosion and any potential siltation to surface waters or wetlands.
5. All fill and backfill shall consist of clean inert material that will not cause siltation nor contain soluble chemicals, organic matter, pollutants, or contaminants. All fill shall be contained in such a manner so as not to erode into any surface water.
6. No fill, excess soil, or other material shall be placed in any wetland or surface water area not specifically authorized by this permit, its plans, and specifications.
7. Upon completion of your project, you must complete and return the enclosed card and photos. The completion card and required photos shall be forwarded to the MDEQ's Water Resources Division, within 30 days of completion of the project. Staff will use such pictures for monitoring compliance with your permit. Failure to submit these photos is an event of noncompliance.
8. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
9. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA). To locate the Soil Erosion Program Administrator for your county visit [www.deq.state.mi.us/sesca/](http://www.deq.state.mi.us/sesca/).
10. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state or federal approval or authorization, necessary to conduct the activity.
11. This permit is being issued for the maximum time allowed under Part 301, Inland Lakes and Streams of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, including all permit extensions allowed under the administrative rules R 281.813. Therefore, no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by the MDEQ, will be for a five-year period beginning at the date of issuance.
12. Noncompliance with these terms and conditions, and/or the initiation of other regulated activities not specifically authorized by this permit shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the MDEQ may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
13. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity and/or mitigation plan from the MDEQ. Such revision requests shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.
14. This permit may be transferred to another person upon written approval of the MDEQ. The permittee must submit a written request to the MDEQ to transfer the permit to the new owner. The new owner must also submit a written request to accept transfer of the permit. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties which includes all the above information may be provided to the MDEQ. The MDEQ will review the request and if approved, will provide written notification to the new owner.

15. This permit does not authorize or sanction work which may have been previously completed without benefit of permit.

By:   
Carol Valor  
Water Resources Division  
517-373-7055 

cc: Meridian Township Clerk  
Ingham County Drain Commissioner  
Ingham County CEA  
Mr. Daniel Westenburg, Progressive AE



DEQ-LWMD  
 File # 13-33-0209  
 APPROVED PLANS  
 Page 1 of 2  
 414/113

MAR 20 2013

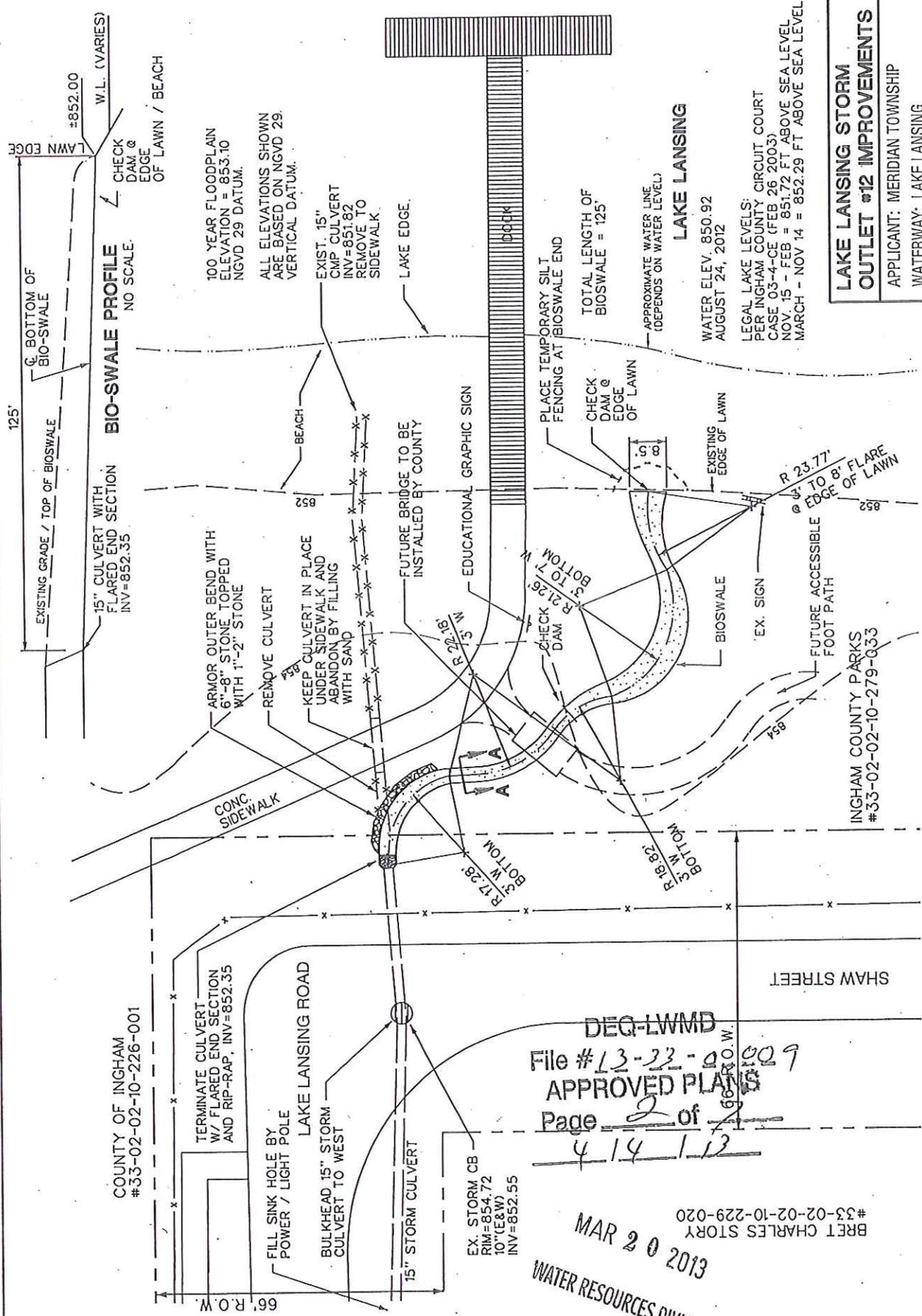
WATER RESOURCES DIVISION

PROJECT VICINITY MAP  
 NO SCALE



**LAKE LANSING STORM  
 OUTLET #12 IMPROVEMENTS**  
 APPLICANT: MERIDIAN TOWNSHIP  
 WATERWAY: LAKE LANSING  
 CITY/TOWNSHIP: MERIDIAN TOWNSHIP  
 COUNTY: INGHAM COUNTY  
 NUMBER OF SHEETS: 2 OF 9  
 DATE: FEBRUARY 2013

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**BIO-SWALE PROFILE**  
NO SCALE.

100 YEAR FLOODPLAIN  
ELEVATION = 853.10  
NGVD 29 DATUM.

EXIST. 15"  
CMP CULVERT  
INV=851.82  
REMOVE TO  
SIDEWALK.

LAKE EDGE.

EX. STORM CB  
RIM=854.72  
10"(E&W)  
INV=852.55

DEQ-LWMD

File # 13-22-009  
APPROVED PLANS  
Page 2 of 7  
4 14 13

MAR 20 2013  
WATER RESOURCES DIVISION

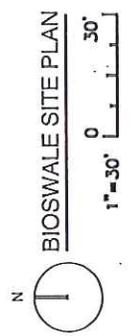
BRET CHARLES STORV  
#33-02-02-10-229-020

**LAKE LANSING**  
WATER ELEV. 850.92  
AUGUST 24, 2012

LEGAL LAKE LEVELS:  
PER INGHAM COUNTY CIRCUIT COURT  
CASE 03-4-CE (FEB 26 2003)  
NOV. 15 - FEB. = 851.72 FT ABOVE SEA LEVEL  
MARCH - NOV 14 = 852.29 FT ABOVE SEA LEVEL

**LAKE LANSING STORM  
OUTLET #12 IMPROVEMENTS**

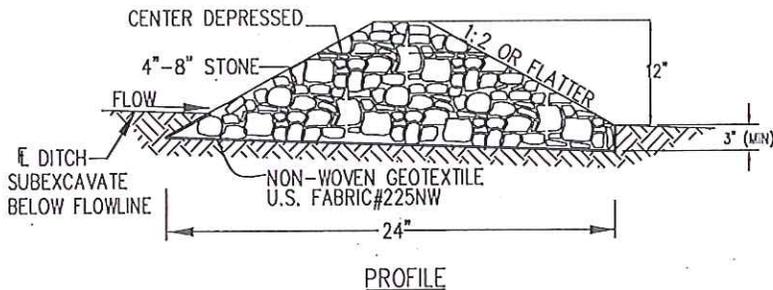
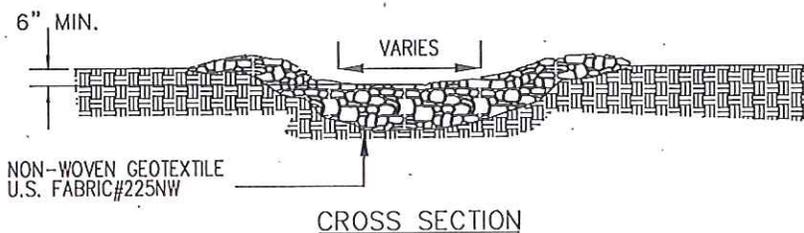
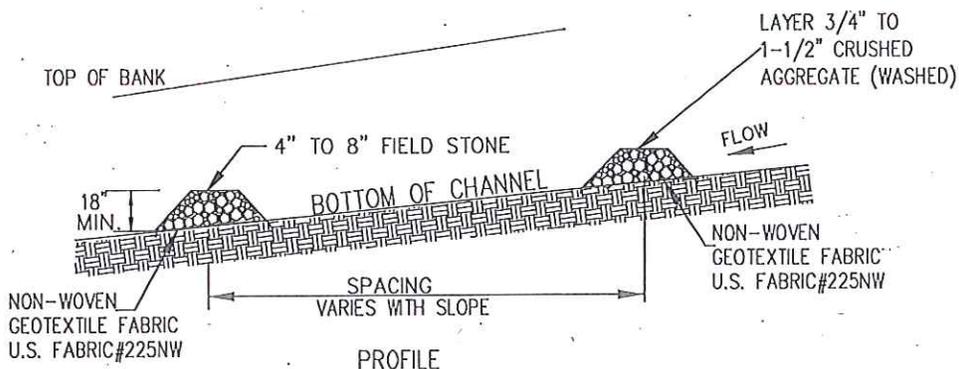
APPLICANT: MERIDIAN TOWNSHIP  
WATERWAY: LAKE LANSING  
CITY/TOWNSHIP: MERIDIAN TOWNSHIP  
COUNTY: INGHAM COUNTY  
NUMBER OF SHEETS: 3 OF 9  
DATE: FEBRUARY 2013



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ES31

# CHECK DAM



NOTE: BASE WIDTH SHOULD BE AT LEAST 2X THE HEIGHT

STANDARD SYMBOL



DEQ-LWMD



MICHIGAN  
DEPARTMENT OF  
MANAGEMENT AND BUDGET

File # 13-33-0079  
APPROVED PLANS  
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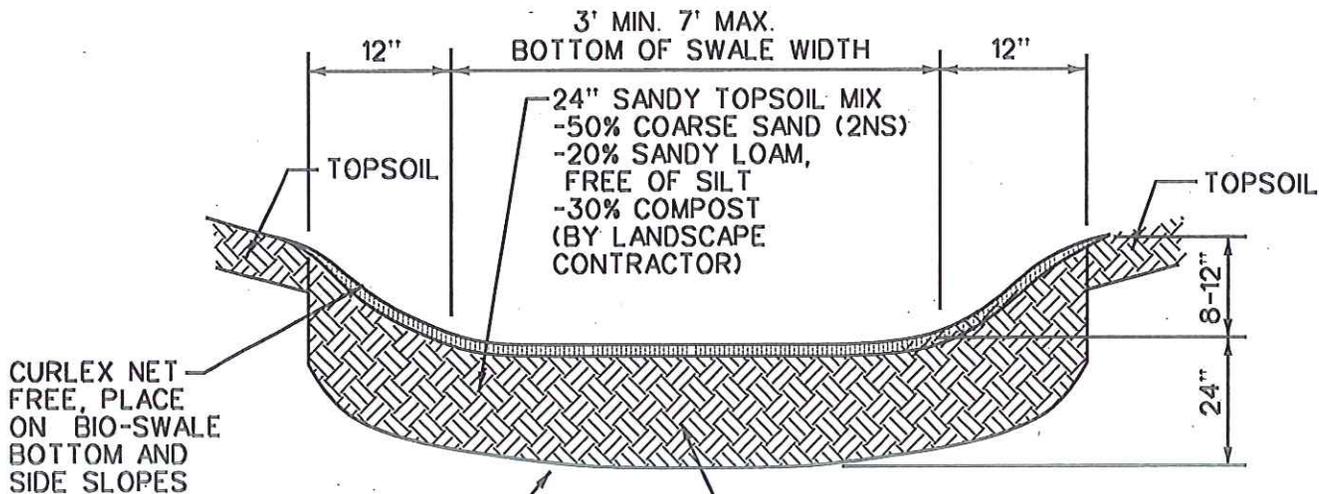
## LAKE LANSING STORM OUTLET #12 IMPROVEMENTS

APPLICANT: MERIDIAN TOWNSHIP  
WATERWAY: LAKE LANSING  
CITY/TOWNSHIP: MERIDIAN TOWNSHIP  
COUNTY: INGHAM COUNTY  
NUMBER OF SHEETS: 4 OF 9  
DATE: FEBRUARY 2013

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WATER RESOURCES DIVISION



CURLEX NET  
FREE, PLACE  
ON BIO-SWALE  
BOTTOM AND  
SIDE SLOPES

USE EXCAVATOR TO  
DIG BIO-SWALE AREAS  
TO AVOID COMPACTION  
OF THESE AREAS.  
MAX. COMPACTION SHOULD  
BE 20%. NO MANUAL  
COMPACTION IS ALLOWED

PLACE SOIL IN 12"  
LIFTS, LIGHTLY WATER  
BETWEEN LIFTS TO  
INDUCE NATURAL  
COMPACTION. DO NOT  
MECHANICALLY  
COMPACT.

**BIO-SWALE SECTION A-A**  
NO SCALE

DEQ-LWMD  
File # 13-33-0009  
APPROVED PLANS  
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414113

MAR 20 2013

WATER RESOURCES DIVISION

**LAKE LANSING STORM  
OUTLET #12 IMPROVEMENTS**

APPLICANT: MERIDIAN TOWNSHIP

WATERWAY: LAKE LANSING

CITY/TOWNSHIP: MERIDIAN TOWNSHIP

COUNTY: INGHAM COUNTY

NUMBER OF SHEETS: 6 OF 9

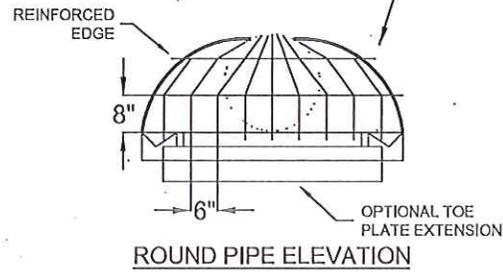
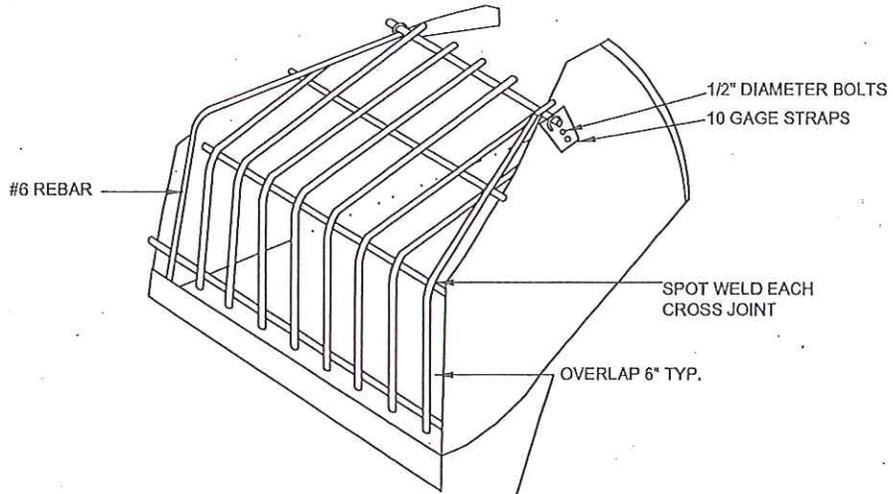
DATE: FEBRUARY 2013

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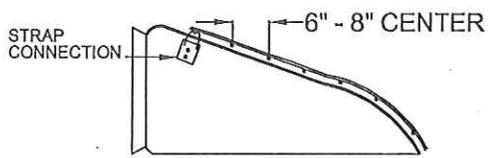
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- NOTES:
1. TRASH RACK BARS TO BE BLACK STEEL.
  2. PAINT WITH HIGH ZINC COATING AFTER FABRICATION.
  3. PLANT FIT TRASH RACK CONFIGURATION

- OPTIONAL:
1. BOLT THROUGH BOTTOM SECTION WITH NUT
  2. LAY OPEN ON BOTTOM FOR "HINGE" EFFECT.
  3. LAST CROSS BAR MAY BE THROUGH BOTTOM SECTION UPON REQUEST.



CROSS SECTION (TYPICAL)



© COPYRIGHT

TRASH RACKS FOR STEEL END SECTIONS

DRAWN BY:	REV. BY:	SCALE:
DATE:	REV. DATE:	DWG#:

DEQ-LWMD  
 File # 13-33-001  
 APPROVED PLANS  
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414113

MAR 20 2013  
 WATER RESOURCES DIVISION

LAKE LANSING STORM OUTLET #12 IMPROVEMENTS

APPLICANT: MERIDIAN TOWNSHIP  
 WATERWAY: LAKE LANSING  
 CITY/TOWNSHIP: MERIDIAN TOWNSHIP  
 COUNTY: INGHAM COUNTY  
 NUMBER OF SHEETS: 7 OF 9  
 DATE: FEBRUARY 2013



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2/21/2013 4:44:19 PM P:\3326002\PL\TMDEG 7 - OUTLET GRATE.DGN

ES31

# CHECK DAM SPECIFICATIONS

- When
  - To reduce surface flow velocities.
- Why
  - To minimize erosion in flow corridors.
- Where
  - Within constructed flow corridors to reduce velocity until permanent stabilization is achieved.
  - Within existing flow corridors to address or prevent velocity-caused erosion.
- How
  1. The check dam shall be constructed of rock only.
  2. The rock shall be placed on non-woven geotextile fabric, U.S. FABRIC #225 NW
  3. Remove woody vegetation prior to placing non-woven geotextile fabric.
  4. Non-woven geotextile fabric shall be inset a minimum of 3" below adjacent grades.
  5. The check dam shall be constructed of 4"-8" stone. The stone shall be placed to completely cover the width of the flow corridor and shall be keyed into adjacent banks.
  6. The middle of the check dam shall be lower than the outer edges, such that no flow goes around the structure.
  7. The up-stream side of the check dam can be lined with smaller crushed aggregate to improve efficiency.
  8. Slopes of check dam should be 1:2 or flatter.
- Maintenance
  - Check dams should be inspected after each runoff event.
  - Clogged stone should be periodically cleaned.
  - Needed repairs should be initiated immediately after inspection.
  - Accumulated upflow sediment should be periodically removed.
  - If check dam is intended as temporary structure, remove after stabilization is achieved.
- Limitations
  - Use only in small open channels which drain 10 acres or less.
  - Not to be used in live streams.



MICHIGAN  
DEPARTMENT OF  
MANAGEMENT AND BUDGET

DEQ-LWMD

File # 13-32-0009  
APPROVED PLANS  
Page 6 of 7  
414113

MAR 20 2013

WATER RESOURCES DIVISION

## LAKE LANSING STORM OUTLET #12 IMPROVEMENTS

APPLICANT: MERIDIAN TOWNSHIP  
WATERWAY: LAKE LANSING  
CITY/TOWNSHIP: MERIDIAN TOWNSHIP  
COUNTY: INGHAM COUNTY  
NUMBER OF SHEETS: 5 OF 9  
DATE: FEBRUARY 2013

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## BIOSWALE SEED MIX

### BOTANICAL NAME

### COMMON NAME

#### PERMANENT GRASSES

ANDORPOGON GERARDII  
CAREX COMOSA  
CAREX CRISTATELLA  
CAREX LURIDA  
CAREX SPP.  
CAREX VULPINOIDEA  
ELYMUS VERGINICA  
GLYCERIA STRIATA  
PANICUM VIRGATUM  
SCIRPUS ATROVIRENS  
SCIRPUS CYPERINUS  
SPARTINA PECTINATA

BIG BLUESTEM  
BRISTLY SEDGE  
CRESTED OVAL SEDGE  
BOTTLEBRUSH SEDGE  
PRAIRIE SEDGE MIX  
BROWN FOX SEDGE  
VIRGINIA WILD RYE  
FOWL MANNA GRASS  
SWITCH GRASS  
DARK GREEN RUSH  
WOOL GRASS  
PRAIRIE CORD GRASS

AVENA SATIVA  
LOLIUM MULTIFLORUM

COMMON OAT  
ANNUAL RYE

#### FORBS

ALISMA SPP.  
ASCLEPEAS INCARNATA  
ASTER NOVAE-ANGLIAE  
COREOPSIS TRIPTERIS  
EUPATORIUM MACULATUM  
IRIS VIRGINICA  
LIATRIS SPICATA  
LOBELIA CARDINALIS  
LOBELIA SIPHILITICA  
LYCOPUS AMERICANUS  
SAGITTARIA LATIFOLIA  
SILPHIUM TEREBINTHINACEUM  
VERBENA HASTATA  
ZIZIA AUREA

WATER PLANTAIN MIX  
SWAMP MILKWEED  
NEW ENGLAND ASTER  
TALL COREOPSIS  
SPOTTED JOE-PYE WEED  
BLUE FLAG  
MARSH BLAZING STAR  
CARDINAL FLOWER  
GREAT BLUE LOBELIA  
COMMON WATER HOREHOUND  
COMMON ARROWHEAD  
PRAIRIE DOCK  
BLUE VERVAIN  
GOLDEN ALEXANDERS

## BIOSWALE SUPPLEMENTAL PLANT PLUGS

SWAMP MILKWEED (ASCLEPIAS INCARNATA), NEW ENGLAND ASTER (ASTER NOVAE-ANGLIAE), TALL COREOPSIS (COREOPSIS TRIPTERIS), SPOTTED JOE-PYE WEED (EUPATORIUM MACULATUM), BLUE FLAG IRIS (IRIS VERSICOLOR), CARDINAL FLOWER (LOBELIA CARDINALIS), GREAT BLUE LOBELIA (LOBELIA SIPHILITICA), BLUE VERVAIN (VERBENA HASTATA)

MAR 20 2013  
WATER RESOURCES DIVISION

DEQ-LWMD

File # 13-33-009

APPROVED PLANS

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### **LAKE LANSING STORM OUTLET #12 IMPROVEMENTS**

APPLICANT: MERIDIAN TOWNSHIP

WATERWAY: LAKE LANSING

CITY/TOWNSHIP: MERIDIAN TOWNSHIP

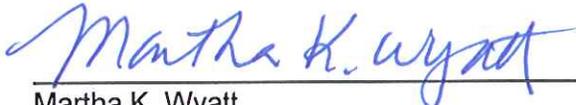
COUNTY: INGHAM COUNTY

NUMBER OF SHEETS: 9 OF 9

DATE: FEBRUARY 2013

# MEMORANDUM

TO: Zoning Board of Appeals

FROM:   
Martha K. Wyatt  
Associate Planner/Landscape Architect

DATE: May 3, 2013

RE: ZBA Case No. 13-05-08-2

---

**ZBA CASE NO.** 13-05-08-2 NISSAN LANSING, 1728 GRAND RIVER AVENUE, OKEMOS, MI 48864  
**DESCRIPTION:** 1728 Grand River Avenue  
**TAX PARCEL:** 22-401-010  
**ZONING DISTRICT:** C-3 (Commercial) District

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

- Section 86-687(3)a., which states one (1) wall sign shall be permitted and may be located flat against the building's front façade on a canopy. For businesses with frontage on more than one (1) public street, two (2) signs may be permitted. In no case shall more than one (1) wall sign be located on a façade and no wall sign shall be located on a rear façade.

The applicant is requesting to install two wall signs on the front façade of the building (south façade), which houses an automobile dealership (Nissan Lansing). Saturn occupied the site from 1992 until 2011 when the dealership transitioned to Nissan Lansing.

The existing building has approximately 150 lineal feet of frontage along Grand River Avenue (front/south façade), thus the business would be permitted one (1) wall sign up to 150 square feet in area, per Section 86-687(3)a. A building permit was issued in 2011 for a new wall sign for "Lansing Nissan" (PB #11-0235), which is approximately 85.7 square feet (2.5' by 34.29') and until recently, was located over the service (garage) doors on the east side of the front façade.

In 2012 Nissan Lansing was approved for a remodeling project which included removal of an existing canopy on the front facade and re-facing the front façade (Site Plan Review #12-92-05). The "Lansing Nissan" wall sign was removed as part of the remodeling project. The applicant intends to relocate the "Nissan" sign (channel letters) to a new location, over the showroom at the west end of the front facade. An additional wall sign (circular "Nissan" sign) is proposed over the front door entrance on the south façade. The applicant submitted a building permit application in March 2013 showing the relocated sign and the new circular sign (PB #13-0143). The wall signs are separated by approximately 16 feet. The applicant contends the proposed sign is one wall sign. Staff explained to the applicant the proposed wall sign is actually two (2) wall signs due to the wide separation of the signs and one (1) wall sign is permitted; therefore a variance is required to have two (2) wall signs.

The building permit for the wall signs has not been approved as of the date of this memorandum. One of the wall signs was recently installed (circular "Nissan" sign) over the main entrance door on the south façade without an approved building permit. The applicant has been informed the sign is considered illegal and must be removed. A violation letter, dated May 3, 2013 was sent to the applicant and property manager.

Per the drawings submitted by the applicant, the existing rectangular wall "Nissan" sign, to be relocated over the showroom, is approximately 30" by 207.84" or approximately 43.3 square feet. A second round "Nissan" wall sign, which has been installed over the main entrance door, is approximately 60" by 70" or approximately 29.2 square feet. When combined, the total area of the two (2) individual wall signs is approximately 72.5 square feet.

The applicant has provided a drawing showing a combined boxed area of the two (2) signs as if the signs are considered one (1) wall sign, as measured to the fullest extent of height and width of the letters or symbol. The area of the boxed rectangle is approximately 195 square feet (60" by 467.84"). The two (2) signs however are separated by an area of blank wall space (5' by 15'-10", or approximately 79 square feet). Although not specified in the Code of Ordinances, staff has used the standard that the separation between two (2) or more wall signs on the same façade must be no greater than the highest point of the sign (letter, number, or symbol), in order for such signs to be considered one (1) wall sign. In this case the highest point of the wall sign is five (5) feet and the proposed separation is 15'-10".

Based on the submitted drawing, staff considers the proposed wall sign as two (2) wall signs. Per Section 86-687(3)a., one (1) wall sign is permitted on the building's front façade, up to 150 square feet based on 150 feet of lineal frontage. Two (2) wall signs are proposed; therefore the applicant is requesting a variance.

The dimensions of the two (2) wall signs are outlined below:

<b>Sign</b>	<b>Sign Dimensions</b>	<b>Size (Square feet)</b>
Rectangular "Nissan"	30" by 17'- 3 27/32"	43.3 sq. ft.
Round "Nissan"	60" by 5'-10"	29.2 sq. ft.
<b>TOTAL (square feet) (2 wall signs)</b>		<b>72.5 sq. ft.</b>

Staff has concerns with several other signs on the building which are addressed in the letter to the applicant, dated May 3, 2013. The two (2) garage doors have the following signage: Service; Enter Here; Exit; Honk Horn; and Lansing Nissan. The garage doors are not considered windows thus the sign standards for windows outlined in Section 86-687(12) do not apply.

The Director of Community Planning and Development has determined directional signage could be allowed on each garage door, as follows: one (1) directional sign (such as enter or exit) for each garage door, not to exceed six (6) square feet per sign. All other signage on each garage door is not permitted and must be removed.

The showroom (southwest corner of the building) has window signs on the west and south windows. Section 86-687(12) of the Code of Ordinances provides for the installation of window signs not exceeding 40 percent of the surface area of the window in which they are displayed. Window signs may not exceed 10 percent of the building face of which the window is a part. The applicant has been required to provide scaled drawings of each window, each window sign, and the percentage of window coverage of the signage for staff to determine if the window signs are in compliance.

### **Site History**

- The car dealership for Saturn was approved by the Planning Commission in 1992 under Special Use Permit #92041.
- The car dealership was approved under Site Plan Review #92-05. The building was constructed in 1992.
- In 1992, the Zoning Board of Appeals approved a portion of ZBA Case No. 92-09-23-2, related to directional signs, and denied a portion of ZBA Case No. 92-09-23-2, related to the free-standing sign.
- In 2005, the automobile dealership expanded the off-street parking lot to the east which was approved under Site Plan Review #05-13.
- In 2008, the Zoning Board of Appeals approved the installation of a new freestanding sign (Saturn) permitting the surface display area to be 37.13 square feet per side and denied the request to install additional wall signs under ZBA Case No. 08-07-09-1.
- A wall sign "Lansing Nissan" was approved in 2011 under PB #11-0235 (85.7 square feet).
- A new freestanding sign for Lansing Nissan was approved in 2011 under PB #11-0236 (36 square feet).
- In 2013 Site Plan Review #13-92-05 was approved permitting the remodeling project for Nissan Lansing (remove canopy and façade renovation).
- Issuance of the building permit for the proposed wall signs (PB #13-0143) is dependent on the outcome of the current variance request (ZBA #13-05-08-2).

**ZBA Case No. 13-05-08-2**

**May 3, 2013**

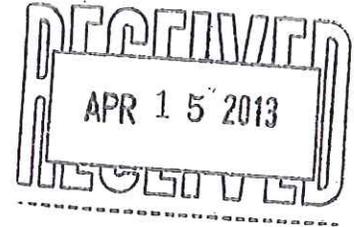
**Page 4**

**Attachments**

1. Application
2. Site Location Map
3. Letter from the Applicant, received on May 2, 2013
4. Sign Drawings submitted by the Applicant
5. Violation letter dated May 3, 2013
6. Site Plan (Site Plan Review #12-92-05)

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



VARIANCE APPLICATION

A. Applicant JOHNSON SIGN CO.  
Address of Applicant 2240 Lansing Ave  
Jackson MI 49202  
Telephone (Work) 517-784-3700 Telephone (Home) \_\_\_\_\_  
Fax 517-784-1556 Email address: jim@johnsonsign.com  
Interest in property (circle one):    Owner    Tenant    Option    Other

B. Site address/location 1728 W. Grand River Ave.  
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) Sec. 86-687 (3) wall signs

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

Signature of Applicant [Signature]                      Print Name JIM JOHNSON                      Date 4-15-13

Fee: \$ 200                      Received by/Date: [Signature]                      4.15.13

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.)

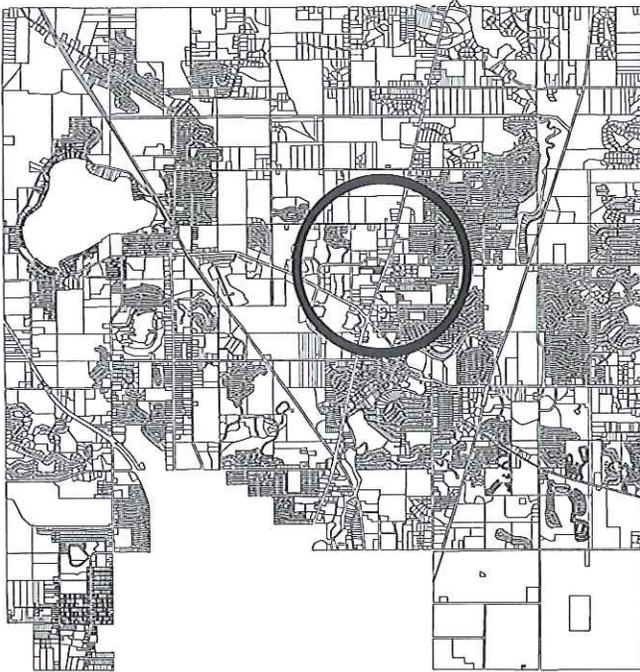
Signature of Applicant(s) [Signature]                      Date 4-15-13

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

**ZONING BOARD OF APPEALS #13-05-08-2  
(NISSAN)**

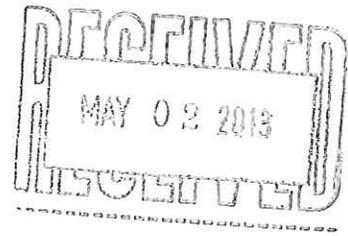
**REQUEST TO INSTALL 2 WALL  
SIGNS AT 1728 GRAND RIVER AVE.**

**CHARTER TOWNSHIP OF MERIDIAN**



Epo





VARIANCE: Lansing Nissan – Okemos, MI

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.

The “Nissan Badge” sign is a part of the entry-way image. This is consistent to the image that Nissan has created for their dealerships.

2. These special circumstances are not self-created.

This particular location has not self-created this layout. The image that Nissan has created with the entry-tower incorporating the “Nissan Badge” is nation-wide. This dealership already had these 30” “Nissan” letters on the building before the remodel

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

From what we understand, you can have (2) wall signs if the space between the (2) of them is not greater than the height of the tallest letter/sign. With this location, the “Nissan Badge” is actually built in to the entry way. This building is a newly remodeled building and if the “Nissan” letters were only spaced apart 5’ from the “Nissan Badge” it would make the building front unaesthetically pleasing.

In fact, before the remodel the dealer had the following signs:

(1) 30” x 17’-3” “Nissan” Wall Letters = 43.13 square feet

(1) 31” x 13” “Lansing” Wall Letters= 33.58 square feet.

Total square feet of wall signs the dealer did have= 76.71 sq. feet

The dealer is now wanting to go with the following:

(1) 30” x 17’-3” “Nissan” Wall Letters= 43.13 square feet

(1) 5’ x 5’-10” “Nissan Badge”= 29.17 square feet

Total Square feet of wall signs the dealer is requesting= 72.30 sq. feet

**4. 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 or would render conformity with such restrictions unnecessarily burdensome.**

The "Nissan Badge" is more of an architectural piece than a sign. The "Nissan Badge" has the word "Nissan" incorporated in it, but the letters are only about 13" tall. Without being able to re-install the 30" "Nissan" letters that they had on the building before the remodel, they are losing a major portion of their identification on the building.

**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.**

Granting this variance to approve the 30" "Nissan" letters is the only way the dealership can have effective identification of this dealership on the building.

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

No, we do not believe that by granting this variance 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, the purposes and intent of this Zoning Ordinance.**

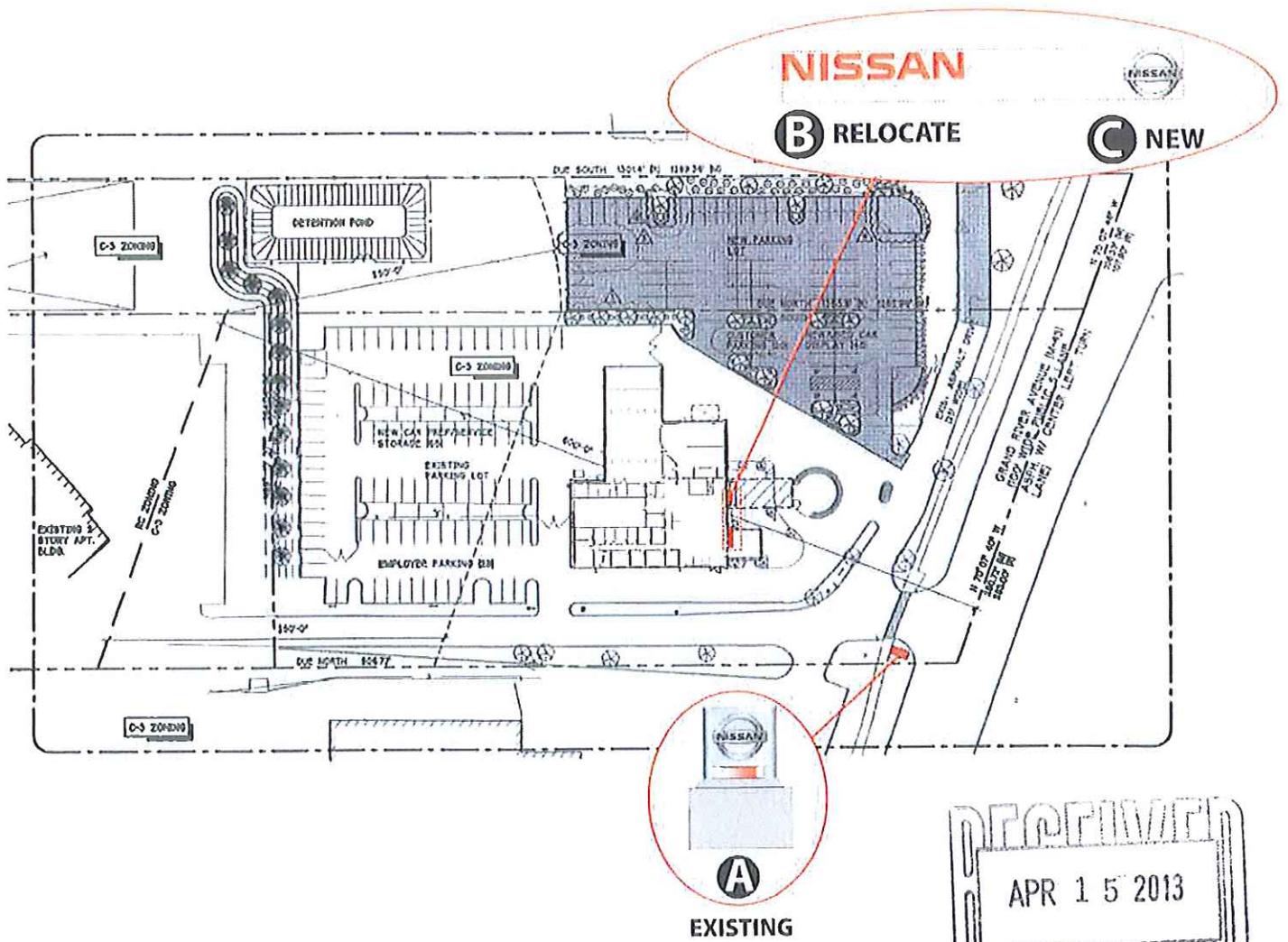
This dealership had (2) wall signs before their remodel that were spaced apart approximately 30" and were for a total of 76.71 square feet. They are now wanting to go for (2) wall signs that are spaced apart approximately 15'-10" for a total of 72.30 square feet. With the image that Nissan has created incorporating the Nissan Badge into the entry way, this dealership is not trying to ask for more wall signage than they had. They simply want to reflect the image that Nissan has created.

**NISSAN NORTH AMERICA, INC.**  
Nissan Retail Environment Design Initiative  
Sign Program



**II. SITE PLAN AND COLOR RENDERINGS**

The following provide a visual representation of the prepared solution.



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APR 15 2013



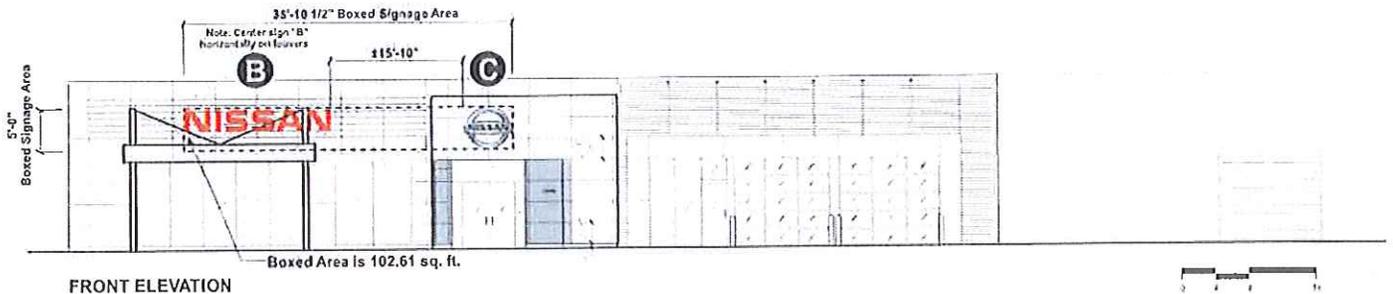
**NISSAN NORTH AMERICA, INC.**  
 Nissan Retail Environment Design Initiative  
 Sign Program



**SITE BEFORE NEW CONSTRUCTION**

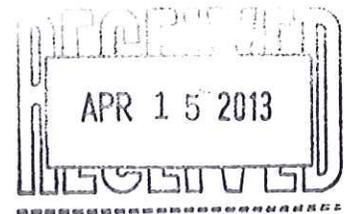


**PROPOSED BUILDING AND SIGNAGE**



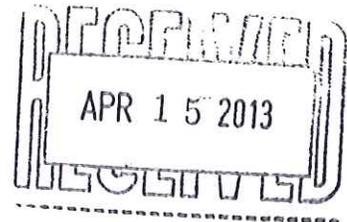
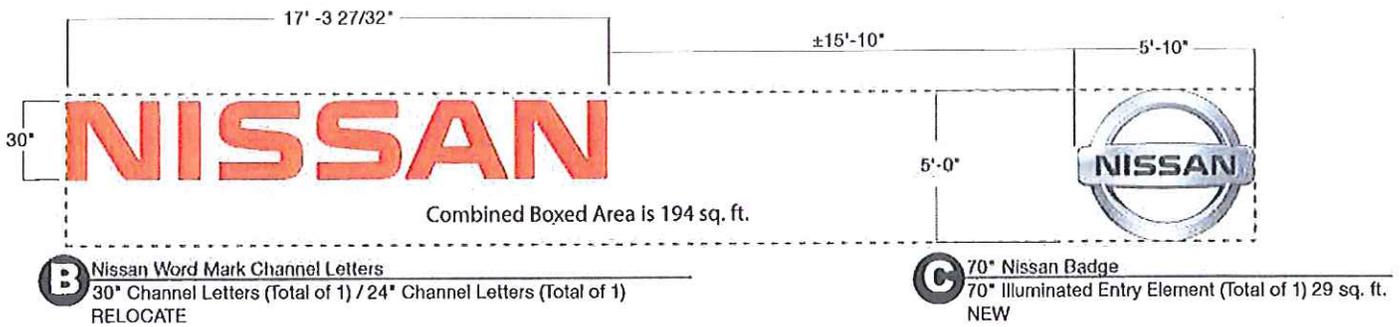
**B: 30" Nissan Word Mark, 24" Dealer Name Letters**

**C: 70" Nissan Badge**





III. SCHEDULE OF SIGNS



# CHARTER TOWNSHIP OF MERIDIAN

Elizabeth Ann LeGoff    Supervisor  
Brett Dreyfus            Clerk  
Julie Brixie              Treasurer  
Gerald J. Richards      Manager



Milton Scales            Trustee  
Ronald Styka            Trustee  
John Veenstra           Trustee  
Angela Wilson           Trustee

May 3, 2013

**RE:    Lansing Nissan, 1728 Grand River Ave.**

Dear Business Manager,

The Nissan "badge" sign recently mounted on the façade of the Lansing Nissan dealership was installed without a building permit. Please submit a building permit application for the sign installation with a scaled diagram indicating the location of the sign on the building façade. As the sign was installed without a permit the application fee increases from \$100 to \$200. Please submit the application (attached) and associated fee within 10 days from the date of this letter. If an application is not received within 10 days, enforcement action will be pursued in accordance with Section 86-10 of the Code of Ordinances, which ultimately includes issuance of a municipal civil infraction subject to payment of a civil fine or the Township commencing appropriate action in court to correct, remedy, or abate the violation.

Additionally, the signs installed in the windows and garage doors are in violation of the zoning regulations for signs in commercial zoning districts. Section 86-687 of the Code of Ordinances provides for the installation of window signs not exceeding 40 percent of the surface area of the window in which they are displayed. Window signs may not exceed 10 percent of the building face of which the window is a part. Regarding the signs in the clear garage doors, signage on garage doors are limited to only directional messages (enter, exit, etc.), signage of a commercial nature (brand name, logo, etc.) is not permitted. Please either revise the existing window signs to comply with the zoning ordinance or contact me regarding a variance from the Zoning Board of Appeals.

Your cooperation in this matter is appreciated. If you have any questions or would like additional information please contact me at (517) 853-4576 or via email at [menser@meridian.mi.us](mailto:menser@meridian.mi.us).

Sincerely,

A handwritten signature in black ink that reads "Peter Menser". The signature is written in a cursive style and is positioned above a horizontal line.

Peter Menser  
Associate Planner

G:\Community Planning & Development\Planning\MENSER\LETTERS\_MEMOS\2013\Nissan.doc

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

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