



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING
March 10, 2021 6:30 pm

Zoom meeting ID: 867 6651 8469
Zoom password: 5151

1. CALL MEETING TO ORDER
2. APPROVAL OF THE AGENDA
3. CORRECTIONS, APPROVAL AND RATIFICATION OF MINUTES
 - A. February 24, 2021 Meeting Minutes
4. COMMUNICATIONS
5. UNFINISHED BUSINESS
6. NEW BUSINESS

A. ZBA CASE NO. 21-03-10-1 (Lommel), 5528 Silverleaf Court, Haslett, MI, 48840

DESCRIPTION: 5528 Silverleaf Court
TAX PARCEL: 11-481-026
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)(c) For lots up to 150 feet in depth, the rear yard shall not be less than 30 feet in depth.

Marsh Lommel, the applicant, is requesting a variance to construct an enclosed porch at 5528 Silverleaf Court.

7. OTHER BUSINESS
8. PUBLIC REMARKS
9. BOARD MEMBER COMMENTS
10. ADJOURNMENT

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

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

**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS REGULAR MEETING MINUTES *DRAFT*
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, FEBRUARY 24, 2021
TOWN HALL ROOM**

PRESENT: Chair Mansour, Members, Field-Foster, Hendrickson, Kulhanek, Opsommer
ABSENT: None
STAFF: Principal Planner Menser; Associate Planner Keith Chapman

1. CALL MEETING TO ORDER

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

2. APPROVAL OF AGENDA

MEMBER KULHANEK MOVED TO APPROVE THE AGENDA AS SUBMITTED.

SECONDED BY MEMBER HENDRICKSON.

VOICE VOTE: Motion carried unanimously.

3. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

A. December 16, 2020 Meeting Minutes

MEMBER FIELD-FOSTER MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, DECEMBER 16, 2020 AS SUBMITTED.

SECONDED BY MEMBER OPSOMMER.

VOICE VOTE: Motion carried unanimously.

4. COMMUNICATIONS

A. Richard McKee; RE: ZBA #21-02-24-1

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

A. ZBA CASE NO. 21-02-24-1 (Johnson Sign Company), 2240 Lansing Ave, Jackson, MI, 49202

DESCRIPTION: 2076 Towner Road

TAX PARCEL: 04-227-003

ZONING DISTRICT: I (Industrial)

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

- Section 86-688 (1), All limitations governing signs in commercial districts shall apply.

Johnson Sign Company, the applicant, is requesting a variance to install a 48 square foot wall sign on the north building façade at 2076 Towner Road

Assistant Planner Chapman outlined the case for discussion.

Chair Mansour asked the applicant or the applicant's representative if they would like to address the Zoning Board of Appeals (ZBA).

Jim Johnson, Johnson Sign Company, 2240 Lansing Avenue, Jackson, stated the client is requesting a sign variance because customers and delivery trucks are finding it difficult to locate the business. His client has indicated neighboring properties have had to redirect customers to their driveway. The client also felt the request met the intent of the Zoning Ordinance and the proposed sign would replicate the existing signage on the building.

Member Kulhanek asked if there is a limitation of 40 square feet per side.

Assistant Planner Chapman stated the reference is to a free standing sign in the Industrial District.

Member Kulhanek questioned if the parcel met the definition of a corner lot because the parcel was not at the corner of two public streets.

Assistant Planner Chapman stated the parcel was considered a corner lot.

Member Kulhanek asked if the two tenants have separate entrances open to the public.

Mr. Johnson stated the two tenants share one main entrance.

Member Kulhanek asked which facade is the rear of the building.

Assistant Planner Chapman stated the south façade facing Towner Road.

Chair Mansour asked if the tenant's building is adjacent to a divided highway.

Assistant Planner Chapman stated yes.

Member Opsommer asked if this was not a variance for a third sign, what would be the maximum square footage a sign would be limited to.

Assistant Planner Chapman stated the client is limited to the linear footage along the front of the building which would allow up to 101 square feet. The existing wall sign is 98.7 square feet. For the façade under consideration, the applicant is requesting 48 square feet.

Chair Mansour read review criteria one from Section 86-221 of the Code of Ordinances which states unique circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district. Chair Mansour stated this parcel creates a unique circumstance with the divided highway.

Member Opsommer stated the speed of the traffic also creates a unique circumstance.

Member Hendrickson stated the position of the lot is a unique circumstance and reference the client's response to the criteria on page 11 of the packet.

Chair Mansour read review criteria two which states these special circumstances are not self-created. Chair Mansour stated the circumstances were not self-created.

Chair Mansour read review criteria three which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties. Chair Mansour stated there was a practical difficulty especially as it pertains to public safety.

Member Hendrickson stated the neighbors have stated visitors have had difficulty identifying the building when coming from the east.

Chair Mansour read review criteria four which states 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. Member Field-Foster stated the location, the ability to draw in visitors, and the speed of the traffic is an issue for this site and if visitors and delivery trucks have to go to neighbors to find the site, this creates a practical difficulty and unreasonably prevents the owners from using the site.

Member Opsommer stated he noticed the business when Towner Road was paved and considering the constraints on the site and traffic issues, as unique.

Chair Mansour stated essentially the alleged practical difficulty is not being able to locate the business, the speed of the traffic, the location of the building on the site, setbacks, trees, and the site location at Saginaw and Towner Roads, and it is preventing the business from reaching its full potential, reaching customers and being as safely accessible as possible.

Chair Mansour read review criteria five which states granting the variance is the minimum action that will make possible the use of the land or structure in a manner which is not contrary to the public interest and which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice. Chair Mansour stated this is the minimal action necessary.

Mr. Johnson stated the client feels this is substantial justified. The owner is not asking for a large sign and is staying within what would otherwise be permitted. The action would secure the public safety aspect.

Chair Mansour read review criteria six which states granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property. Chair Mansour stated this criteria had been met and the request will maintain the character of the surrounding area.

Member Hendrickson asked if the sign would be lighted.

Associate Planner Chapman replied the sign would not be lighted

Chair Mansour read review criteria seven which states the conditions pertaining to the land or structure are not as general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable. Chair Mansour stated this criteria had been met.

Member Hendrickson stated the unique shape of this corner makes it not so general to create a change in the Ordinance. By classifying this location as a corner it may benefit from some of the changes that will be proposed during the updating of the Sign Ordinance.

Chair Mansour read review criteria eight which states granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter. Chair Mansour stated this criteria had been met.

MEMBER HENDRICKSON MOVED TO APPROVE THE VARIANCE FOR ZBA CASE NO. 21-02-24-1 (Johnson Sign Company), 2240 Lansing Avenue, Jackson, Michigan 49202

SECONDED BY MEMBER FIELD FOSTER.

ROLE CALL TO VOTE:

YEAS: Members Field-Foster, Opsommer, Kulhanek, Hendrickson, Chair Mansour

NAYS: None

Motion carried: 5-0

Mr. Johnson thanked Principal Planner Menser and Associate Planner Keith Chapman for their assistance with the variance request.

7. OTHER BUSINESS

A. Election of 2021 Officers

Member Hendrickson moved to retain Member Mansour as Chair of the ZBA for 2021. Seconded by Member Field-Foster.

ROLE CALL TO VOTE:

YEAS: Members Field-Foster, Opsommer, Kulhanek, Hendrickson, Chair Mansour

NAYS: None

Motion carried: 5-0

Chair Mansour moved to retain Member Field-Foster as Vice Chair of the ZBA for 2021. Seconded by Member Opsommer.

ROLE CALL TO VOTE:

YEAS: Members Field-Foster, Opsommer, Kulhanek, Hendrickson, Chair Mansour

NAYS: None

Motion carried: 5-0

8. PUBLIC REMARKS

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

9. MEMBER COMMENTS

Member Hendrickson stated he will not be able to attend the March 10, 2021 meeting.

Chair Mansour welcomed Trustee Opsommer as the Board Liaison on the ZBA.

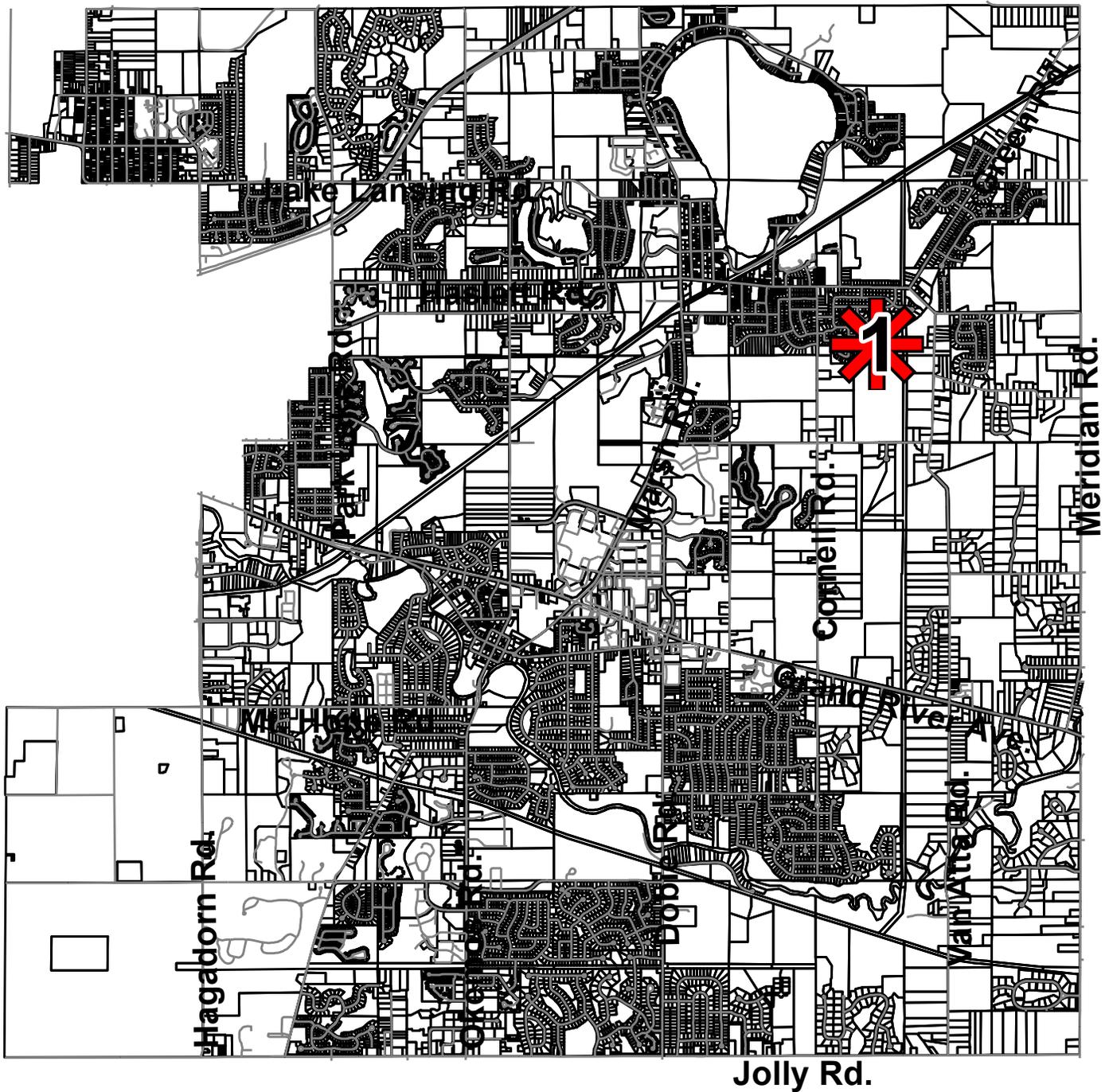
10. ADJOURNMENT

Meeting adjourned at 7:17 pm.

Respectfully Submitted.

Robin Faust, Administrative Assistant II

Meridian Township



Location Map

1. ZBA #21-03-10-1 (Lommel)



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.



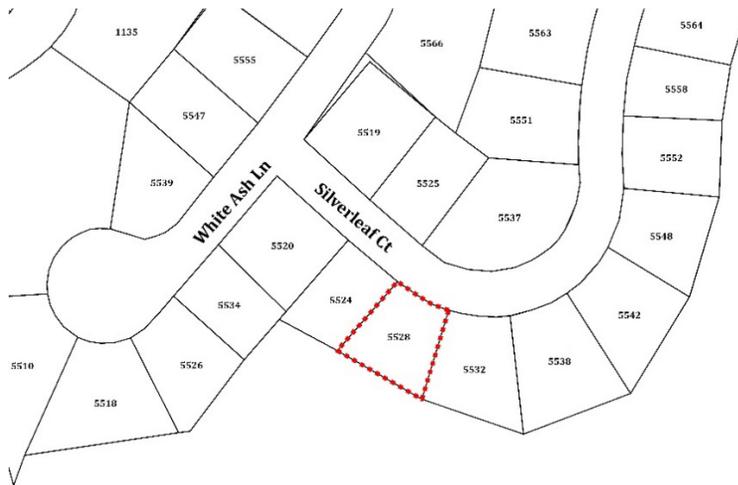
To: Zoning Board of Appeals
From: Keith Chapman, Assistant Planner
Date: March 5, 2021
Re: ZBA Case No. #21-03-10-1 (Lommel)

ZBA CASE NO.: 21-03-10-1 (Lommel), 5528 Silverleaf Court, Haslett, MI 48840
LOCATION: 5528 Silverleaf Court
PARCEL ID: 11-481-026
ZONING DISTRICT: RA (Single Family-Medium Density)

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

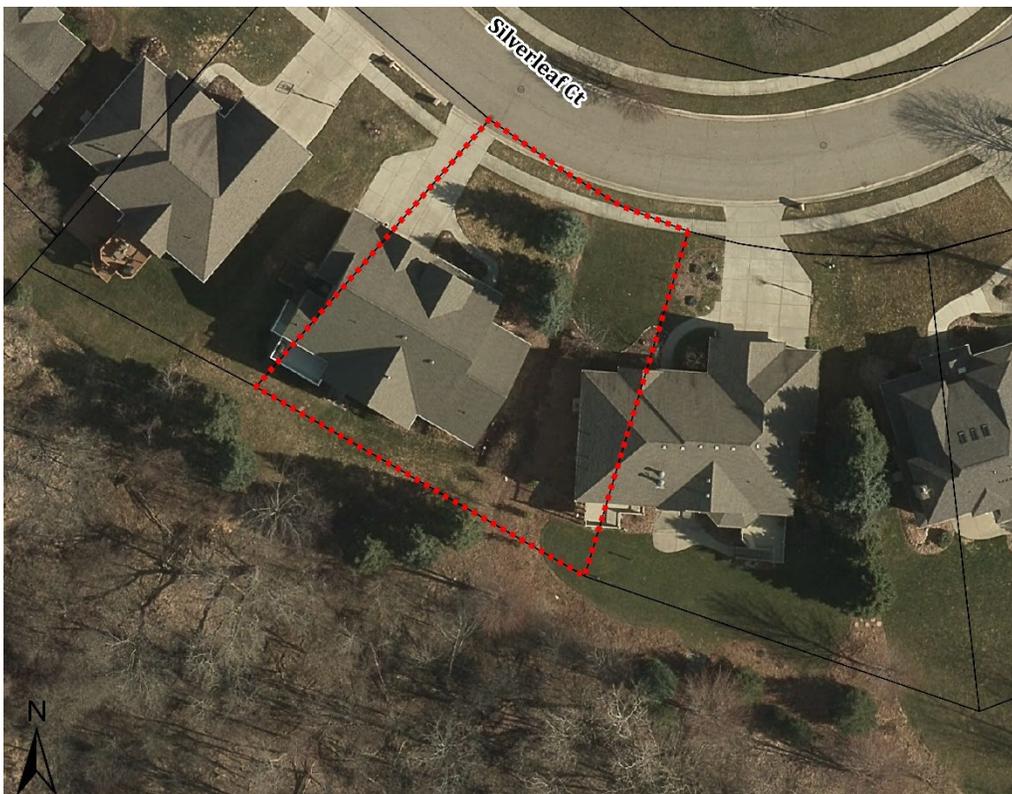
- Section 86-373(e)(5)(c) For lots up to 150 feet in depth, the rear yard shall not be less than 30 feet in depth.

Location Map



Marsha Lommel, the applicant, intends to enclose an existing unenclosed porch (deck) on the southwest corner of the existing single family house, built in 1998. The existing unenclosed porch measures approximately 12 feet by 18 feet in area. The applicant intends to replace the unenclosed porch with a new enclosed porch/three season room, which measures 12 feet by 18 feet in area. The proposed enclosed porch would encroach into the required rear yard setback.

Aerial Photo



The existing unenclosed porch is permitted under Section 86-564 (b) to encroach into the rear yard setback eight feet. It is located 27.8 feet at its closest point from the rear property line and encroaches 2.2 feet into the rear yard setback.

Existing Porch South Elevation



The proposed enclosed porch will be constructed on top of the existing unenclosed porch. Section 86-564(c), states enclosed porches, either one-story, two-story, or an unenclosed porch having solid foundations and capable of being enclosed shall be considered an integral part of the building and shall, therefore, be subject to all yard and area dimensional requirements established for principal buildings. Once the porch is enclosed it is required to meet the principal building setback requirements. In this case the porch is required to meet the rear yard setback requirement in the underlying zoning district.

The rear yard setback requirement for the RA (Single Family-Medium Density) zoning district is outlined in Section 86-373(e)(5)(c) and requires a 30 foot rear yard setback for lots less than 150 feet in depth. The lot is irregular shaped and has a depth of 120.44 feet on the west property line closest to the deck and 122.77 feet of depth on the east property line. The enclosed porch is proposed to be located on top of the existing unenclosed porch and is setback 27.8 feet from the rear property line.

The applicant intends to construct the new enclosed porch 2.2 feet into the required rear yard setback. Therefore the applicant is requesting a variance of 2.2 feet to allow the proposed enclosed porch to encroach into the required rear yard setback.

Existing Porch West Elevation



Attachments

1. Variance application, dated February 8, 2021 and received by the Township on February 8, 2021.
2. Letter from the applicant, received by the Township on February 8, 2021.
3. Approval Letter from the Chippewa Woods Home Owners Association dated February 19, 2021
4. Lot survey, dated November 13, 2020 and received by the Township on February 8, 2021.
5. Proposed porch elevations, received by the Township on February 8, 2021.
6. Site location map.

G:\COMMUN PLNG & DEV\PLNG\ZBA\2021 ZBA\ZBA 21-03-10\ZBA 21-03-10-1 (Lommel)\ZBA 21-03-10-1 staff report

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

VARIANCE APPLICATION

A. Applicant Marsha Lommel
Address of Applicant 5528 Silverleaf Ct, Haslett, Mi 48840

Telephone (Work) 517-575-6939 Home _____ Telephone (Home) 402-770-8900 Cell _____

Fax None Email address: _____

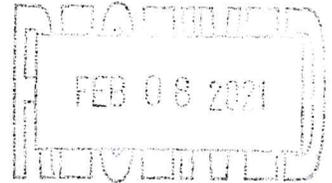
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 5528 Silverleaf Ct. Haslett, Mi 48840
Zoning district Residential Parcel number 33-02-02-11-481-026

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) Residential

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)



Marsha Lommel Marsha Lommel 2/8/21
Signature of Applicant Print Name Date

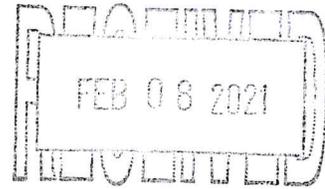
Fee: \$250.00 Received by/Date: [Signature] 2/8/21

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.)**

Marsha Lommel 2/8/21
Signature of Applicant(s) Date

Signature of Applicant(s) Date

TO: Zoning Board of Appeals, Meridian Township
FROM: Marsha Lommel
RE: 5528 Silverleaf Court
DATE: February 10, 2021



Please consider this a request for a variance to build a three-season room on an existing deck on my home at 5528 Silverleaf Ct, Haslett, Mi 48840. I appreciate your kind assistance with this matter.

I have attached to this request the following items:

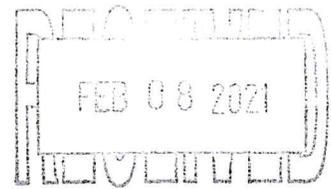
1. A completed variance application form.
2. A real estate tax statement from the current year which proves my ownership and identifies the parcel on which my house sits. I do not have a mortgage on the house.
3. A site survey of the property
4. Two designs for the three-season room, a side elevation and a rear elevation.
5. A schematic of the house showing the relationship of the deck to the property boundaries.

I purchased this property in 2019 intending to construct a three season room on the rear deck. The deck is in the back of the house, not viewable from the street. The back of the house faces a wooded area which is part of a flood plain. Therefore the variance would not, in any way, encroach on any neighbors or any view. The three-season room will be built on the existing footprint of the deck. The deck will not be expanded in any way.

The three-season room will be a wood frame build. The siding and roof shingles will match the house so that it looks like it was built at the same time as the house.

The deck was built at the same time as the house, that is 1998. It has never been expanded or changed in any way. Therefore this is considered an unique circumstance that would not be applicable to other structures in the same zoning district.

I did not realize, when I purchased the house, that the rear property line would be a deterrent to enclosing the existing deck. It would be cost prohibitive to tear down and completely rebuild the deck, so the project could not practically go forward without the variance.



I sincerely believe that this project is an enhancement of the property and my investment would increase the value of the property and thus the neighborhood. It does not affect any neighbors in any way, therefore it is not contrary to the public interest. I believe that granting a variance of two feet, 3 inches for the project would be in the spirit of the ordinance, which is to protect the public good. It would also provide substantial justice for me, as I purchased the house believing that the large yard behind my house, facing a woods, would comply with building codes to enclose the deck.

Adding a three-season room on my existing deck has no effect on adjacent land or neighboring homes as it will face a wooded area. It will only enhance the essential character of the neighborhood. Many neighbors have constructed similar three-season and four-season rooms on their homes. Some of them look to be originally constructed or added with less than 30 feet from the boundary of their property.

The conditions pertaining to the structure are not general. They are very specific to this project and are a result of the original construction.

Since a variance is the only way I can afford to construct the structure on the existing deck, I implore you to grant the variance in the sense of justice, the common good and the intent of this charter. Your variance requirements specify that:

“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.”

I believe my request meets this requirement and ask, in the name of justice, that you approve it.

Please feel free to come on to my property to inspect the conditions under which I am hoping to build this room. I am 73 years old and being able to sit outside in a screened in area is important to my continued health and well being. I have had similar deck structures built on my last two homes and am so very anxious to complete this by spring.

Thank you for your consideration.

Keith Chapman

From: Marsha Lommel <marsha.lommel@gmail.com>
Sent: Tuesday, February 23, 2021 12:17 PM
To: Keith Chapman
Subject: Zoning Board Meeting March 10th

TO: Keith Chapman
FROM: Marsha Lommel
RE: Variance request for 5528 Silverleaf Ct, Haslett
DATE: February 23, 2021

Please see the message below from the Chippewa Woods HOA approving my request to build a there-season room on my back deck. My request was reviewed and approved by the architecture subcommittee and the board of directors of the association. We submitted specific designs including the variance, as well as all materials to the board for their decision. You well note that the approval is based on the approval of the zoning commission for the variance.

Would you please include this information, and the approval notice from the HOA, to the zoning commission for the March 10th meeting. If you have any questions before the meeting, please let me know.

Thank you for your assistance.

On Feb 19, 2021, at 11:33 AM, Edward Dudgeon <spartan1@spartansvcs.net> wrote:

Hello Marsha.

We are pleased to report your Chippewa Woods HOA Board members have approved your request for a 3-season room conversion as submitted – including your request for a variance allowing for the 4-12 proposed roof pitch. The relative obscurity (not viewable from any street) of your proposed non-conforming roof pitch was a significant factor in this decision. This approval is contingent upon Meridian Township's approval for the setback variance which we understand you intend to seek.

Please advise if you have any questions, and THANK YOU for seeking advance approval for your project.

Sincerely,

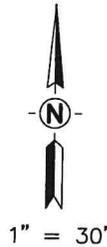
Edward Dudgeon
Spartan Services
517.882.1826, ex. 126
[Spartan1@spartansvcs.net](mailto:spartan1@spartansvcs.net)

LOT SURVEY

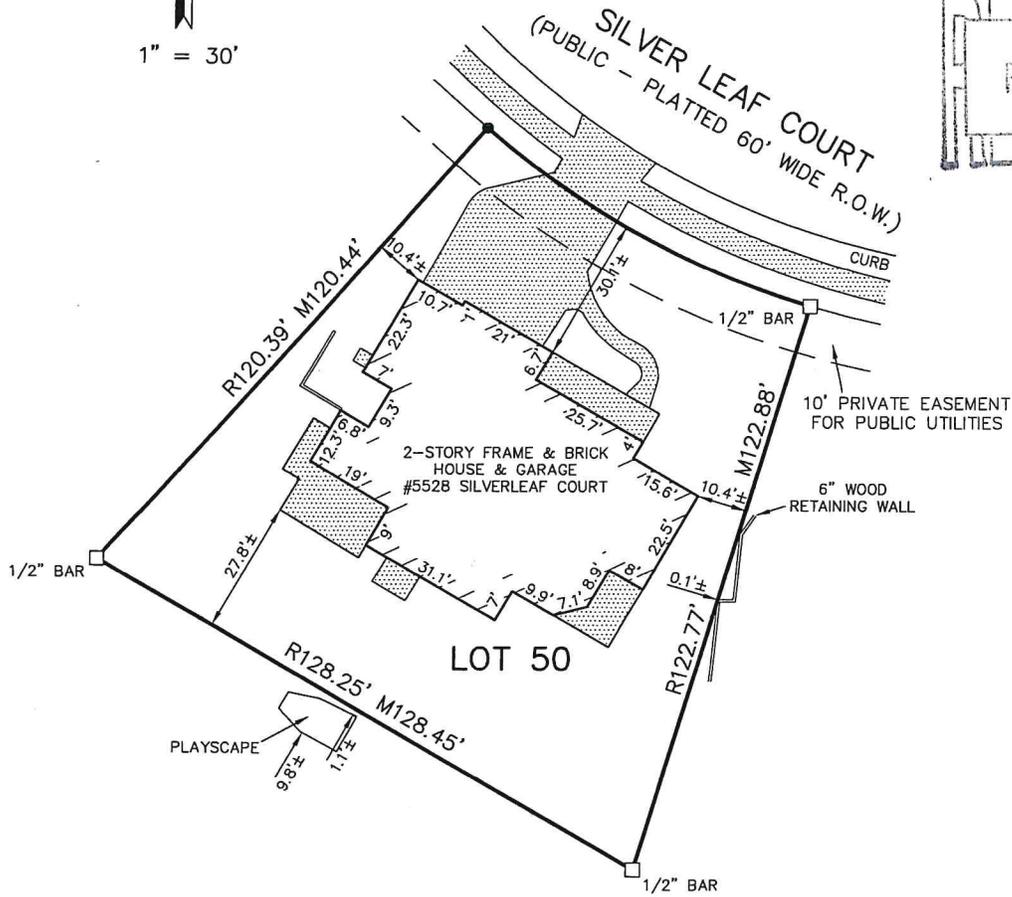
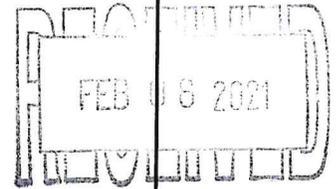
For:
 D&W Windows and Sunrooms
 8068 E. Court Street
 Davison, MI 48423

Survey Address:
 5528 Silverleaf Court
 Haslett, MI 48840
 ID: 33-02-02-11-481-026

Legal Description (as provided): Lot 50, Chippewa Woods No. 2, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 51 of Plats, Pages 19-21, Ingham County Records.



NOTES:
 1. ALL EASEMENTS MAY NOT BE SHOWN



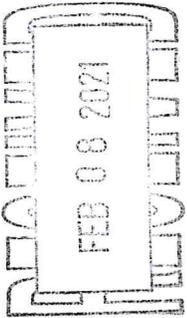
I hereby certify only to the parties hereon that we have surveyed, at the direction of said parties, the above described lot, and that we have found or set, as noted hereon, permanent markers to all corners of said lot and that all visible encroachments of a permanent nature upon said lot are as shown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

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

ERIK R. FRIESTROM
 ERICK R. FRIESTROM
 PROFESSIONAL SURVEYOR
 DATE 11-13-2020
 NO. 53497

KEBS, INC. KYES ENGINEERING BRYAN LAND SURVEYS	
2116 HASLETT ROAD, HASLETT, MI 48840 PH. 517-339-1014 FAX. 517-339-8047 13432 PRESTON DRIVE, MARSHALL, MI 49068 PH. 269-781-9800 FAX. 269-781-9805	
DRAWN BY KDB	SECTION 11, T4N, R1W
FIELD WORK BY NAW	JOB NUMBER:
SHEET 1 OF 1	97423.LOT

REAR ELEVATION $\frac{1}{4}'' = 1 \text{ FT SCALE}$



EXISTING HOUSE ROOF

NEW ROOF TIED INTO EXISTING

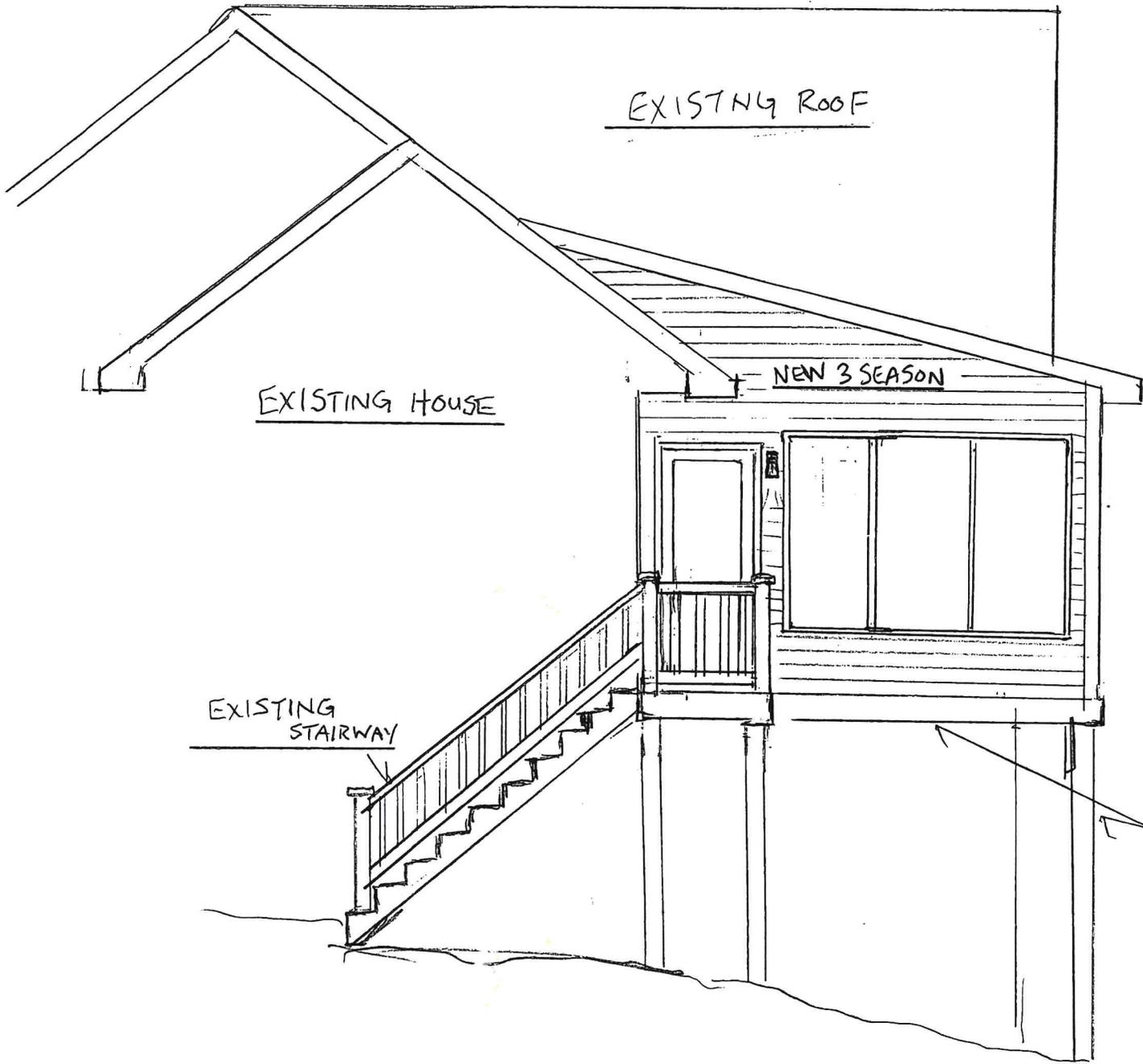
NEW 3-SEASON ROOM

EXISTING HOUSE

EXISTING LANDING
w/ STAIRS

EXISTING DECK SUPPORTS (FOUND.)

SIDE ELEVATION 1/4" = 1 FT. SCALE



EXISTING ROOF

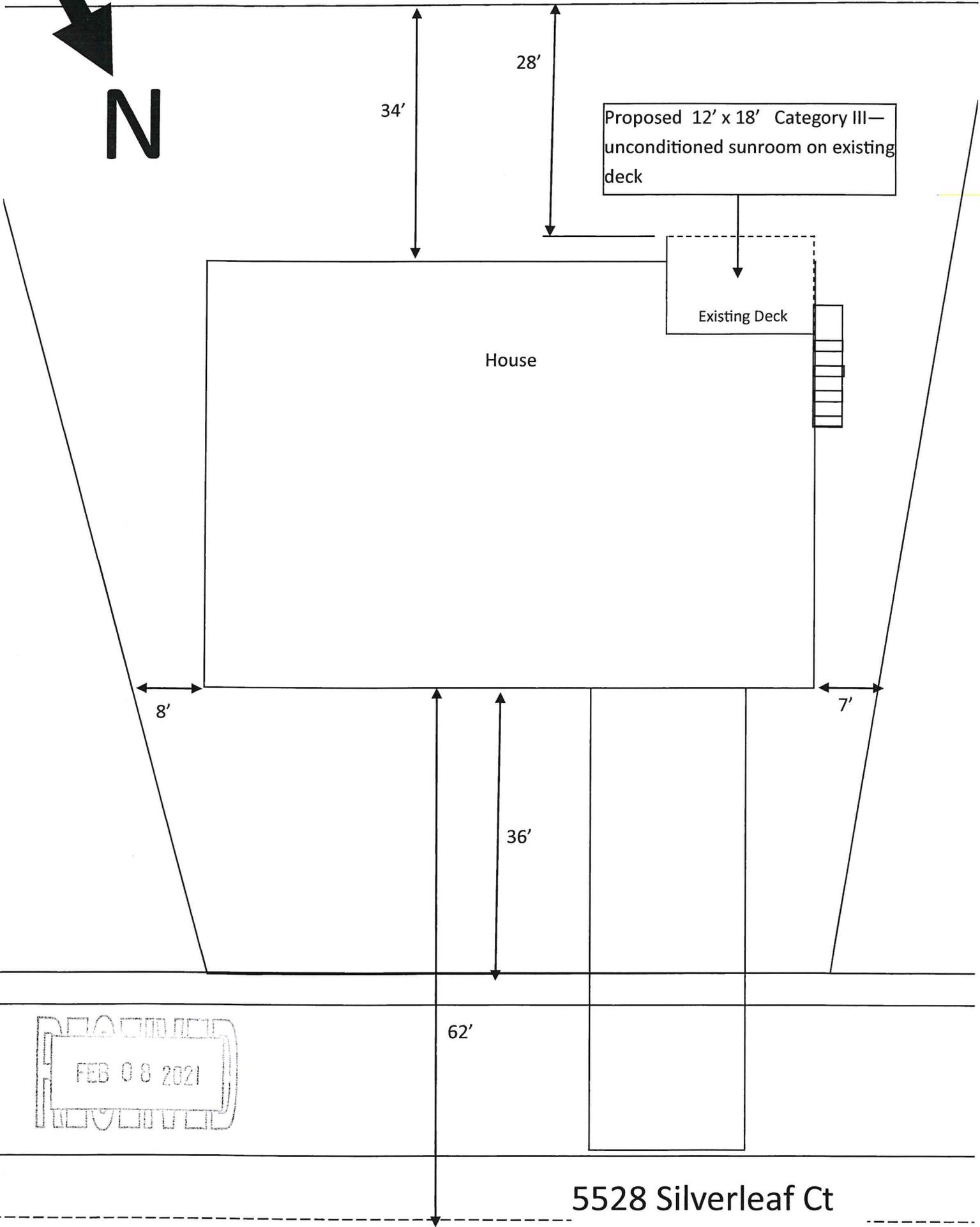
NEW 3 SEASON

EXISTING HOUSE

EXISTING STAIRWAY

EXISTING DECK AND POSTS

REVISIONS
FEB 08 2021



RECEIVED
FEB 08 2021
RECEIVED

5528 Silverleaf Ct

