

**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS REGULAR MEETING MINUTES *APPROVED*
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, JANUARY 8 2020 6:30 PM
TOWN HALL ROOM**

PRESENT: Chair Beauchine, Members Field-Foster, Mansour, Wisinski
ABSENT: Member Lane
STAFF: Director of Community Planning and Development Mark Kieselbach, Assistant
Planner Justin Quagliata

1. CALL MEETING TO ORDER

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

2. A. APPROVAL OF AGENDA

Assistant Planner Justin Quagliata reported

- The applicant requested the case be postponed for ZBA CASE NO. 19-11-13-1 (East Lansing Lodge, Inc.) – Item #6. B. was postponed.
- The Election of Officers is required at the ZBA's (Zoning Board of Appeals) first meeting of the year

MEMBER MANSOUR MOVED TO AMEND THE AGENDA TO INCLUDE THE ELECTION OF OFFICERS AS ITEM #2. B.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

B. ELECTION OF OFFICERS

Member Mansour volunteered to be Chair of the Zoning Board of Appeals. Member Field-Foster volunteered to be Vice Chair.

CHAIR BEAUCHINE MOVED TO ACCEPT MEMBER MANSOUR AS CHAIR AND MEMBER FIELD-FOSTER AS VICE CHAIR.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

3. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

Wednesday, December 11, 2019

MEMBER FIELD-FOSTER MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, NOVEMBER 13, 2019.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

4. COMMUNICATIONS**A. Corridor Improvement Authority RE: ZBA #19-11-13-1****5. UNFINISHED BUSINESS**

None

6. NEW BUSINESS**A. ZBA CASE NO. 20-01-08-01 (Bayle), 5965 Greenman Street, Haslett, MI, 48840**

LOCATION: 5965 Greenman Street

PARCEL ID: 10-201-018

ZONING DISTRICT: RB (Single Family-High Density)

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

- Section 86-565(1), Accessory buildings. In a front yard. No accessory building shall project into any front yard.
- Section 86-374(d)(5)(a), Front yards. In accordance with the setback requirements of Section 86-367 for the type of street upon which the lot fronts, the required setback from the centerline of the Lake Lansing Road right-of-way is 100 feet.

The variance requests are to construct an accessory building that would project 34 feet into the front yard and encroach 16 feet into the setback from the centerline of Lake Lansing Road at 5965 Greenman Street.

Assistant Planner Quagliata 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).

Harold Bayle, 5965 Green Road, Haslett MI, the applicant, stated he did not want to attach the garage to the house because it has a different foundation than the house. The detached garage would not encroach into the front yard on Lake Lansing Road as much as the other houses in the area.

Member Field-Foster asked if there was a garage on the site. Mr. Bayle replied no, just a shed. When asked if it would be a 2-car garage, Mr. Bayle replied yes. When asked about the garage aligning with the driveway, Mr. Bayle replied the driveway would be expanded and straighten during construction.

Chair Mansour opened the floor for public remarks.

None

Chair Mansour closed public remarks.

Member Beauchine 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. He stated if the garage was attached, it would have not met the 100 foot setback from Lake Lansing Road. The garage is 10 feet from house, and does not encroach into the setback for Greenman Street. The request meets the criteria.

Member Beauchine read review criteria two which states these special circumstances are not self-created. He stated the circumstance was not self-created.

Member Beauchine read review criteria three which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties. He stated because of the required setbacks, there would not be enough area for a house and garage which would result in a practical difficulty.

Member Beauchine 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. He stated although a garage is not required with Michigan weather, it would reduce any difficulties.

Member Beauchine reviewed 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. He stated granting the variance for the front yard setback would be the minimum necessary for the use of the land. It is a corner lot, there is no other location for garage, and the garage is not too large

Member Beauchine 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. He stated this criteria had been met, the garage will be fronting on Greeman Street and the other houses in the area are located closer to Lake Lansing Road.

Member Beauchine review criteria seven which states the conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable. He stated the conditions pertaining to the property were unique so this criteria had been met.

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

MEMBER BEAUCHINE MOVED TO APPROVE ZONING BOARD OF APPEALS CASE NO. 20-01-08-01.

SECONDED BY MEMBER WISINSKI.

Chair Mansour agrees with the variance request but was concerned with the statement that not having a garage created a practical difficulty. The lot does have two front yards and there is no other practical location for a garage.

Assistant Planner Quagliata asked the applicant to clarify the setback for the garage from the west property line. The application replied 5 feet.

Member Wisinski asked if the driveway is reconfigured, what would be allowed. Staff replied the driveway is allowed to cover 35 percent of the front yard.

Member Field-Foster asked if the shed would be removed. Staff replied yes.

ROLE CALL TO VOTE:

YES: Members Wisinski, Beauchine, Chair Mansour, Member Field-Foster

NO: None

Motion carried unanimously.

B. ZBA CASE NO. 19-11-13-1 (East Lansing Lodge, Inc.), 2736 Grand River Avenue, East Lansing, MI, 48823

DESCRIPTION: 2736 Grand River Avenue

TAX PARCEL: 17-460-017

ZONING DISTRICT: C-2 (Commercial)

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

- Section 86-225 – 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 year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed circumstances found by the Zoning Board of Appeals to be sufficient to justify consideration.

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

- Section 86-618(2), Nonconforming structures, other than single-family structures, may be altered, expanded, or modernized without prior approval of the Zoning Board of Appeals; provided, that structural alterations or extensions shall not increase the area, height, bulk, use, or extent of the structure and shall satisfy all other applicable site development regulations.
- Section 86-755, Schedule of requirements for parking space. Parking space shall be provided in accordance with the design standards of this chapter and according to this schedule: for motels, hotels, or other commercial lodging establishments, one for each one unit plus extra spaces for dining rooms, ballrooms, or meeting rooms as required by this division.
- Section 86-756(2). Design and construction requirements. For the layout of off-street parking facilities the required maneuvering lane width for 10 foot by 18 foot parking spaces shall be 25 feet.

The variance requests are to expand a nonconforming nonresidential structure with a porte cochere addition, a variance for three parking spaces, and a variance from the required maneuvering lane width for the drive aisles throughout the parking lot at 2736 Grand River Avenue. This is a request to rehear previously denied variances.

This item was postponed.

7. OTHER BUSINESS

None

8. PUBLIC REMARKS

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

9. BOARD MEMBER COMMENTS

Assistant Planner Quagliata reminded the members of the joint meeting with Township Board and other Boards and Commissions on Tuesday, January 28 at 6 pm in Town Hall Room and the January 22nd meeting of the Zoning Board of Appeals was cancelled.

Member Beauchine asked viewers to consider serving on the ZBA.

10. ADJOURNMENT

Meeting adjourned at 6:49 p.m.

Respectfully Submitted.

Robin Faust, Administrative Assistant II