



**AGENDA**  
CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING  
September 23, 2020 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. August 26, 2020 Meeting Minutes
4. COMMUNICATIONS
5. UNFINISHED BUSINESS
6. NEW BUSINESS

**A. 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.

The variance request is to expand a nonconforming nonresidential structure with a decorative canopy addition at 2736 Grand River Avenue. This is a request to rehear previously denied variances.

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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



**AGENDA**  
CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS MEETING  
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7. OTHER BUSINESS
8. PUBLIC REMARKS
9. BOARD MEMBER COMMENTS
10. ADJOURNMENT

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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, AUGUST 26, 2020 6:30 PM  
TOWN HALL ROOM**

**PRESENT:** Chair Mansour, Members Field-Foster, Hendrickson, Kulhanek, Wisinski,  
Brian Shorkey (Alternate)

**ABSENT:** Member Hendrickson

**STAFF:** Director of Community Planning and Development Mark Kieselbach, Assistant  
Planner Keith Chapman

**1. CALL MEETING TO ORDER**

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

**2. APPROVAL OF AGENDA**

MEMBER SHORKEY MOVED TO APPROVE THE AGENDA AS SUBMITTED.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

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

A. January 8, 2020 Meeting Minutes

B. June 10, 2020 Meeting Minutes

MEMBER FIELD-FOSTER MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, JANUARY 8,  
2020 AS SUBMITTED.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

MEMBER WISINSKI MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, JUNE 10, 2020 AS  
SUBMITTED.

SECONDED BY MEMBER KULHANEK.

VOICE VOTE: Motion carried unanimously.

**4. COMMUNICATIONS**

A. Mike & Jackie Christie, RE: ZBA #20-08-26-1, in opposition

B. Curtis J. Armbruster, RE: ZBA #20-08-26-1, in opposition

**5. UNFINISHED BUSINESS**

None

**6. NEW BUSINESS****A. ZBA CASE NO. 20-08-26-1 (Jerry Fedewa Homes) 5570 Okemos Road, East Lansing, MI 48823**

LOCATION: East Lake Drive (Vacant Parcel)

PARCEL ID: 02-101-004

ZONING DISTRICT: RA (Single Family-Medium Density)

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

- Section 86-471(b)(1), all structures and grading activities shall be setback from the edge of a water feature as follows: Wetlands regulated by the Township, the state, or by federal law equal to or greater than two acres in area; 40 feet.
- Section 86-471(c)(1), to minimize erosion, stabilize streambanks and wetland edges, protect water quality, and preserve fish and wildlife habitat, a natural vegetation strip shall be maintained from the edge of a water feature as follows: Wetlands regulated by the Township, the state, or by federal law; 20 feet.

The applicant is requesting an 18' variance to construct the single family house within the 20 foot natural vegetation strip and a 38' variance to construct the single family house within the 40 foot wetland setback.

Assistant Planner Chapman outlined the case for discussion. If approved, the staff recommended of the following conditions:

- The applicant shall obtain a soil erosion and sedimentation control (SESC) permit from the Meridian Township Department of Public Works and Engineering, as applicable.
- The applicant shall stake the edge (limit) of grading, corners of the house, deck and driveway on the parcel before any excavation or construction begins.
- The applicant shall install erosion control silt fencing along the boundary of the wetland before construction of the house and driveway to prevent erosion into the regulated wetland. The silt fencing shall remain for the duration of the house and driveway construction.
- The single family house, driveway, and grading are limited to the dimensions and locations as presented to the Zoning Board of Appeals on the site plan prepared by Jerry Fedewa Homes Inc. dated August 4, 2020 and received by the Township on August 26, 2020.

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

Gerald Fedewa, 5570 Okemos Road, East Lansing, stated the parcel is 13 acres and there is only 0.25 acre that is buildable. They are proposing a first floor footprint of 1,200 square feet. The two foot encroachment into the wetland setback is where the driveway meets Lake Drive. The house has been angled and the driveway has been turned to run perpendicular with the road. The house is out of the 20 foot setback except for the one corner where they will hand grade. Silt fence will be installed and any disturbed area will be replanted. If the variance request is approved and they are able to purchase the parcel, they plan on donating a portion of the land to Lake Lansing Park North or the Township Land Preservation Program.

Chair Mansour opened the floor for public remarks.

Brock Fletcher, 11091 Jerison Drive, Grand Ledge, MI, stated he is the listing agent for the parcel. The parcel owner, Rob Pozel, purchased the parcel over 50 years ago with the intention to build a house. He had presumed it was a buildable parcel and has been paying property taxes. The Township has been assessing the parcel as buildable.

Chair Mansour closed public remarks.

Board Member Wisinski asked if there was any historical data to support the current owner's assumption the parcel was buildable considering the wetlands and hydric soils.

Assistant Planner Chapman replied the Township does not do an assessment if the parcel is buildable. For wetlands, the owner would need to request a delineation. Wetland boundaries change over time.

Board Member Wisinski asked if there was a geo-technical survey to verify if the soils are suitable for building on.

Mr. Fedewa stated soil testing had been performed and the soil was adequate on the site to accommodate the proposed house.

Board Member Wisinski asked if EGLE's (The Michigan Department of Environment, Great Lakes and Energy) or DEQ (Department of Environmental Quality) 20 foot setback and if the Township's 40 foot setback were in place at the time of purchase.

Director Kieselbach replied EGLE does not have a setback requirement. The wetland setback is a Township requirement. The Wetland Ordinance was adopted in 1991 and the setback requirement was added to the Zoning Ordinance in 1994 to protect the wetlands and create a buffer. If a wetland is two acres or more in area, there is a 40 foot setback and if the wetland is less than two acres in area, there is a 20 foot setback.

Member Field-Foster asked if there had been discussions with EAGLE regarding a wetland permit to build on this parcel.

Mr. Fedewa replied they assumed since the house was out the wetland, they did not need a permit from EGLE.

Member Field-Foster asked if there have been discussions with the Ingham County Drain Commissioner and Township about the permitting process.

Mr. Fedewa replied they had spoken with the Township Engineer that handles the soil erosion permits. He did not believe a permit was necessary from the Drain Commissioner's Office. The site will need water, sewer and building permits through the Township and a driveway permit from the Ingham County Road Department.

Member Field-Foster asked if the owner would be allowed an exception to build on the parcel since the parcel was purchased 50 years ago and an ordinance was not in place at that time.

Director Kieselbach replied the zoning of the parcel has not changed. The current zoning classification was created in 1960 and the parcel has remained in the single family category since that time. The proposal covers a small upland area of approximately 0.25 acre outside the wetland. Unless there is an impact to the wetland, then permits from EGLE and the Township would be required. In this case, the variance request is for setbacks from the wetland.

Member Kulhanek asked if there is a way to position the house on the property without encroaching into the wetland setback.

Mr. Fedewa stated if the house was turned to be 10 feet from the property line on the west side and 85 feet from the center of the road right-of-way, it would reduce the width of the house to 18 feet. The driveway was adjusted to be perpendicular to the road. They had tried to minimize the impact to the vegetation and wetland setbacks with the placement of the house.

Member Kulhanek asked why the grading was necessary and could the grading be limited.

Mr. Fedewa replied they wanted to create a small yard for the house but could possibly limit the grading.

Member Wisinski asked staff to confirm how the grading would affect the 20 foot and 40 foot setbacks.

Director Kieselbach replied the grading in the 20 foot setback is for the construction of the house. Within the 20 foot setback closest to the house the area is allowed to be used as yard but cannot have a structure placed in the setback. The other area disturb would be for the driveway.

Mr. Fedewa stated when the excavation for the basement was completed, the site would be graded to have the water flow away from the house. After construction, the closest 20 feet to the house would be restored to lawn and the second 20 feet would be restored to natural vegetation. If necessary, the grading could be minimized and the extra soil taken off site.

Chair Mansour asked what was the purpose for the wetland setback.

Director Kieselbach replied the first 20 feet closest to the wetland is referred to as a natural vegetation strip and serves to protect and buffer the wetland. The storm water from the site will be filtered through the vegetation strip before going into the wetland. The second 20 feet closest to the house allows for a lawn which also filter the water.

Chair Mansour asked how the Township will address the soil erosion control measures since this parcel is 500 feet from Lake Lansing.

Director Kieselbach replied soil erosion fencing will be placed at the wetland boundary to identify the location of the wetland and to stop soil and other debris from going into wetland. Once the plant material is restored and growing, the soil erosion fence can be removed.

Chair Mansour asked how the Township protected the wetland setback areas when encroached into during construction.

Director Kieselbach replied the Engineering Department will issue the soil erosion permit, and monitor the area during construction. The soil erosion permit will not be released until plant material (grass, natural vegetation, etc.) is established and growing.

Mr. Fedewa stated if the grass and plant materials are not established when he applies for the certificate of occupancy, he would have to escrow funds to insure the growth of those plant materials.

Member Shorkey stated the circumstances were unique to the property because of the road, side yard and wetland setbacks. The circumstances were not self-created and there are difficulties to construct a house on this parcel. The parcel is zoned residential and could not be used without the variances. The variances are the minimum so a house could be built. As a single family house is not out of character for the area. He did not agree with the comments the house was out of character for the area. The wetland would remain the same and not affect Lake Lansing. The granting of the variances will not set a precedent or be a recurrent problem.

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. She stated Member Shorkey had outlined the unique circumstances of this parcel.

Chair Mansour read review criteria two which states these special circumstances are not self-created. She stated the circumstance were not self-created by the owner but by the natural environment.

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.

Member Field-Foster stated the parcel had been zoned in the single family residential district since the 1960s and rendering it now useless is a practical difficulty.

Chair Mansour stated the question is can a house be built on this parcel based on the current restrictions.

Member Shorkey stated due to the setbacks, a house could not be constructed on the parcel without variances.

Member Wisinski stated the house could be reduced in size.

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. Chair Mansour stated the parcel is zoned residential and to build a house, certain variances are going to be required.

Chair Mansour 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. Chair Mansour stated the minimum action would be the size of the house and if the grading was necessary for the house.

Member Field-Foster asked if the footprint of the house could be reduced to reach the minimum action.

Mr. Fedewa stated a variance would still be needed to construct the driveway because it goes thorough the wetland setback and is within two feet of the wetland. They could minimize the grading, take the soil off site, stay within 15 feet of the house and do some hand grading.

Member Wisinski stated there was a practical difficulty with the driveway and appreciated the applicant reducing the grading. However, she wanted to keep the natural vegetation within the 20 foot setback as well as the 40 foot setback as much as possible.

Chair Mansour asked if the concerns were with post-construction.

Member Wisinski replied she was concerned with the long term affects on water quality, the eco-system, the wetland and Lake Lansing.

Member Kulhanek stated the applicant was limited on where the house could be built on the parcel. The applicant is willing to limit grading within 15 feet of the house.

Member Field-Foster stated in order to have a buildable area, variances were needed.

Member Wisinski asked if a condition was added for grading within 15 feet of the house, would Mr. Fedewa still be willing to donate land to the Land Preservation Program and could it be made a condition.

Mr. Fedewa replied he was willing to agree to the condition regarding the proposed land donation, if the variances were approved.

Member Wisinski asked if there would be any adverse effects if pursuing the land donation as a condition.

Director Kieselbach replied he was concerned with attaching the land donation as a condition for approval of the variances. The ZBA could recognize the offer but it should not be a condition of approval.

Mr. Fedewa stated they could only make the donation if they own the parcel. The parcel would not be purchased if it could not be built on. They would be willing to give a letter of intent as a condition of ownership.

Member Field-Foster stated she appreciates the offer but the offer should not be considered as part of the variance request. Only the review criteria should be considered regarding the variances for this parcel.

Chair Mansour also appreciated the offer but the donation could not be considered during deliberation.

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 the request would have minimal affect on the adjacent land, other properties, wetlands and Lake Lansing. The applicant is limiting the amount of grading and maintaining wetland vegetation.

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 case was unique due to the wetland and being adjacent to Lake Lansing.

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 Field-Foster stated she was uncomfortable regarding the discussion on the land donation and appearance of quid pro quo.

Mr. Fedewa stated he would withdraw the land donation offer.

Chair Mansour stated the land donation offer was not part of the review criteria.

MEMBER SHORKEY MOVED TO APPROVE THE REQUEST FOR THE VARIANCES WITH THE CONDITIONS AS PROPOSED BY STAFF EXCEPT ADDING 15 FEET GRADING AROUND THE BUILDING.

Chair Mansour asked for Member Shorkey to clarify his motion.

MEMBER SHORKEY MOVED TO APPROVE THE VARIANCE REQUEST WITH THE CONDITIONS AS RECOMMENDED BY STAFF AND WITH THE ADDITIONAL CONDITION THAT THE GRADING BE LIMITED TO 15 FEET AROUND THE BUILDING.

Assistant Planner Chapman suggested the motion be amended to include no grading within the 20 foot natural vegetation strip.

Member Shorkey offered instead of 15 feet from the house, grading to be kept out of the 20 foot wetland setback in the front yard of the house.

Chair Mansour asked if the grading for the driveway could be moved outside of the 20 foot natural vegetation strip.

Mr. Fedewa replied for the driveway the top soil would be scraped away and gravel installed and then pavement. Some grading would need to occur in the natural vegetation strip. They would be willing to limit grading within 15 feet of the house and hand grade within 2.5 feet of the closet point of the house and build the driveway outside of the wetland.

Chair Mansour stated she would be willing to accept a friendly amendment for hand grading at the corner of the house at 2.5 feet.

Member Wisinski asked if the area could be restored with natural vegetation within the 20 foot natural vegetation strip and grass/lawn within the 40 foot wetland setback.

Mr. Fedewa stated he would restore the area.

Chair Mansour suggested adding restoring the natural vegetation strip within the 20 foot setback after construction is completed and prior to certificate of occupancy.

Member Wisinski proposed: “grading not to exceed 15 feet from the house and not to extend into the 20 foot setback with the exception of the southeast corner which would be hand graded”

Director Kieselbach suggested a condition could be to grant the variances for the grading as shown on the plan. A condition added for hand grading at the 2.5 feet at the corner of the house. A condition added that when the project is completed, the natural vegetation strip in the 20 foot setback be restored prior to Certificate of Occupancy being granted for the house.

MEMBER SHORKEY AMENDED THE MOTION TO STATE APPROVAL OF THE VARIANCE REQUEST WITH THE CONDITIONS AS PROPOSED BY STAFF WITH THE CONDITION OF HAND GRADING AT THE SOUTHEAST CORNER OF THE HOUSE AND THE NATURAL VEGETATION WITHIN THE 20 FOOT BUFFER IN THE FRONT SETBACK OF THE HOUSE BE INSTALLED PRIOR TO OCCUPANCY WITH THE EXCEPTION OF THE DRIVEWAY.

SECONDED BY MEMBER WISINSKI.

ROLE CALL TO VOTE:

YEAS: Members Shorkey, Wisinski, Kulhanek, Chair Mansour

NAYS: None

ABSTAINED: Member Field-Foster

Motion carried: 4-0-1

**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**

Chair Mansour welcomed Member Shorkey and expressed her appreciation for the integrity of the decision process and Member Field-Foster in making sure the Board stayed within the review criteria.

Member Field-Foster thanked the Chair and stated it was a good meeting.

**10. ADJOURNMENT**

Meeting adjourned at 8:23 pm.

Respectfully Submitted.

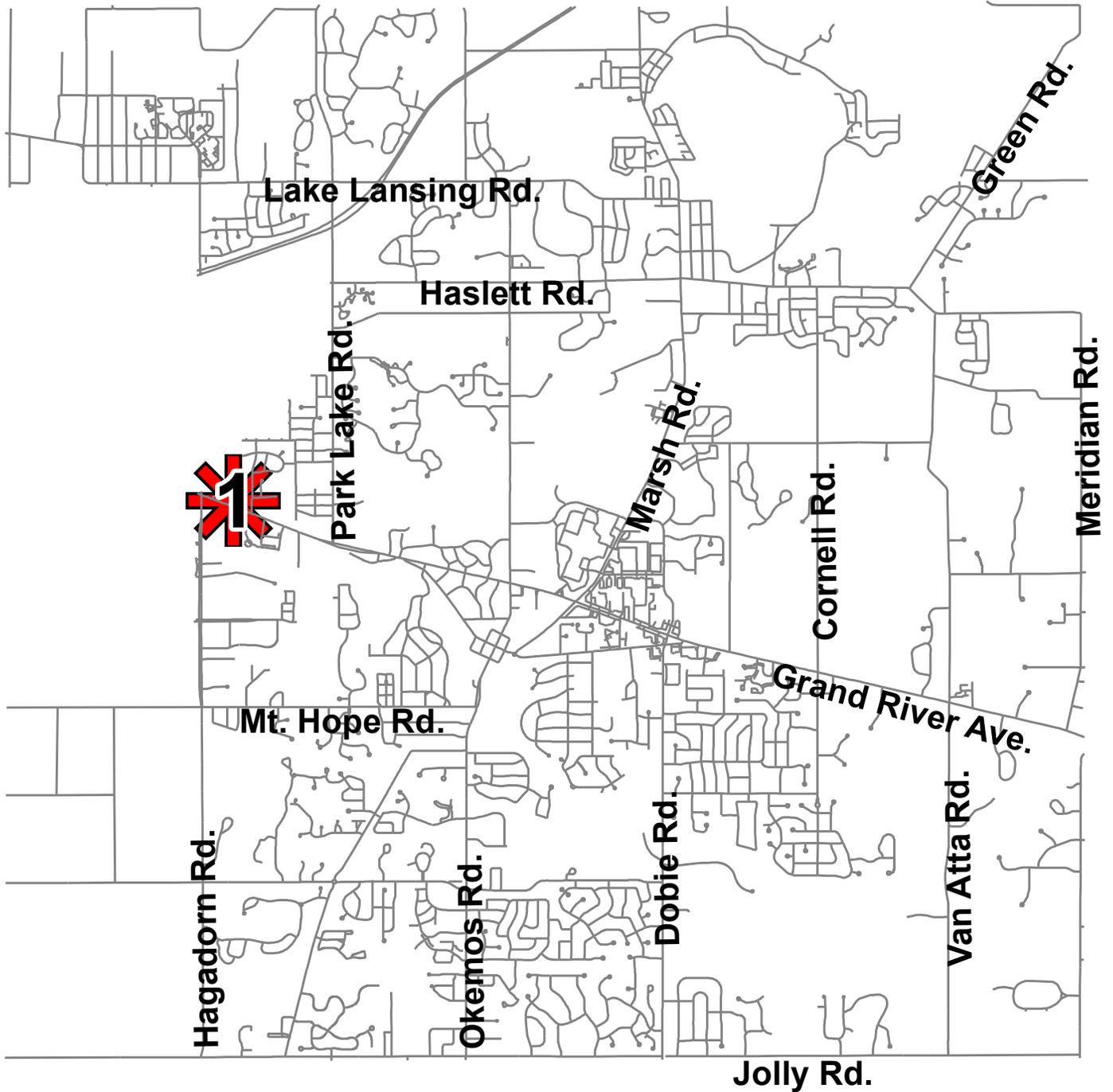
Robin Faust, Administrative Assistant II

## 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.

# Meridian Township



## Location Map

1. ZBA #19-11-13-1 (East Lansing Lodge, Inc.)





**To:** Zoning Board of Appeals  
**From:** Keith Chapman, Assistant Planner  
**Date:** September 18, 2020  
**Re:** ZBA Case No. 19-11-13-1 (East Lansing Lodge, Inc.)

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**ZBA CASE NO.:** 19-11-13-1 (East Lansing Lodge, Inc.), 2736 Grand River Avenue, East Lansing, MI 48823  
**LOCATION:** 2736 Grand River Avenue  
**PARCEL ID:** 17-460-017  
**ZONING DISTRICT:** C-2 (Commercial)

The applicant is requesting the Zoning Board of Appeals (ZBA) to rehear previously denied variances at the November 13, 2019 Meeting. The Board must decide whether or not to rehear the case 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.

The previous requests at the November 13, 2019 meeting were to expand a nonconforming nonresidential structure with a 288 square foot porte cochere addition, exceed 70 percent impervious surface coverage, deviate from the required maneuvering lane width for the drive aisles throughout the parking lot, and waive the installation of curb and gutter at 2736 Grand River Avenue. The applicant re-applied but withdrew the application before the January 8, 2020 Zoning Board of Appeals Meeting.

The site plan has been revised to only include the addition of a decorative canopy. The requests for impervious surface, drive aisle widths, and curb and gutter are no longer being requested. 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.

East Lansing Lodge, Inc., the applicant, is proposing to construct a 174 square foot decorative canopy addition onto the west side of the existing hotel located at 2736 Grand River Avenue. The 1.547 acre (67,387.32 square feet) subject property is zoned C-2 (Commercial) and located on the north side of Grand River Avenue, east of Whole Foods.

**ZBA Case No. 19-11-13-1 (East Lansing Lodge, Inc.)**  
**Zoning Board of Appeals (September 23, 2020)**  
**Page 2**

The existing hotel was constructed in approximately 1959 and is considered nonconforming because it does not meet the 100 foot front yard setback from the centerline of Grand River Avenue. The existing building is located approximately 50 feet from the centerline of Grand River Avenue. The applicant intends to add a decorative canopy to the building, which would measure 29 feet in width by 6 feet in depth (174 square feet) and 10 feet in height. The addition would be located approximately 80 feet from the centerline of Grand River Avenue. Any addition to a nonconforming nonresidential structure requires approval from the Zoning Board of Appeals.

**Attachments**

1. Variance application dated August 25, 2020 and received by the Township on August 26, 2020.
2. Site plan prepared by Jarratt Architecture dated August 21, 2020 and received by the Township on August 26, 2020.
3. Minutes from the November 13, 2019 Zoning Board of Appeals meeting.
4. Site location map.

G:\COMMUN PLNG & DEV\PLNG\ZBA\2019 ZBA\ZBA 19-11-13\ZBA 19-11-13-1 (East Lansing Lodge, Inc.) – rehearing\ZBA 19-11-13-1 staff report.zba2docx



2736 E Grand River Ave. East Lansing, MI 48823

9/23/2020

To: Meridian Township ZBA

Re: Decorative overhang variance

Since our last submittal, the brand has allowed a waiver on a full porte cochere, and instead is allowing a more simple decorative canopy, similar to what many commercial properties have. The size of the porte cochere in the original submittal was 12'1" Lx24' W. The requested canopy will be 29' Lx6' W, spanning across 3 of the existing columns. The requested canopy will not be needing any added structural columns and instead will be tied into the existing hotel columns already there (as shown in the rendering). The canopy will provide shelter for guests entering/exiting their vehicle, as many hotels offer. We anticipate the overhang to be able to provide coverage to at least half of the vehicle that will be underneath it. We will not need any other variances as requested in previous meetings.



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

VARIANCE APPLICATION

A. Applicant East Lansing Lodge, Inc  
Address of Applicant 2736 E Grand River Ave.  
East Lansing, MI 48823  
Telephone (Work) 248-798-3828 Telephone (Home) \_\_\_\_\_  
Fax 313-567-5732 Email address: ryannofar@gmail.com  
Interest in property (circle one):  Owner  Tenant  Option  Other

B. Site address/location 2736 E Grand River Ave. East Lansing, MI 48823  
Zoning district \_\_\_\_\_ Parcel number \_\_\_\_\_

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

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

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

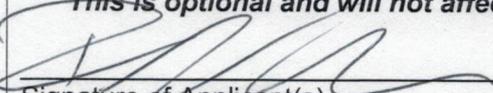
  
\_\_\_\_\_  
Signature of Applicant

Ryan Nofar  
\_\_\_\_\_  
Print Name

8/25/2020  
\_\_\_\_\_  
Date

Fee: \_\_\_\_\_ Received by/Date: \_\_\_\_\_

*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)

8/25/2020  
\_\_\_\_\_  
Date

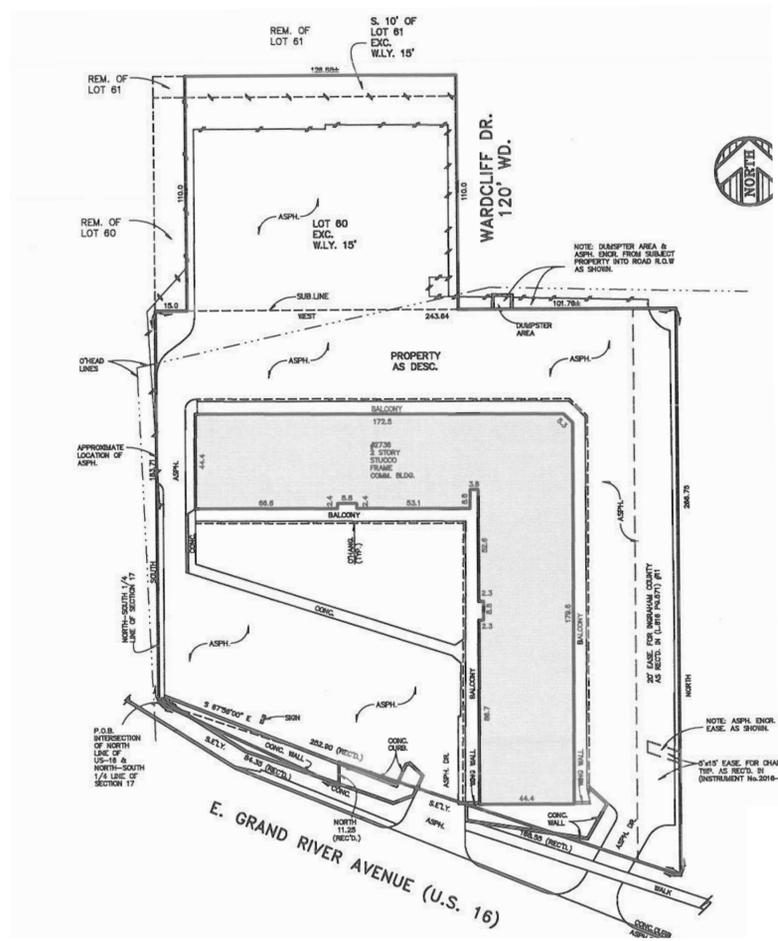
\_\_\_\_\_  
Signature of Applicant(s)

\_\_\_\_\_  
Date

## VARIANCE APPLICATION SUPPLEMENT

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

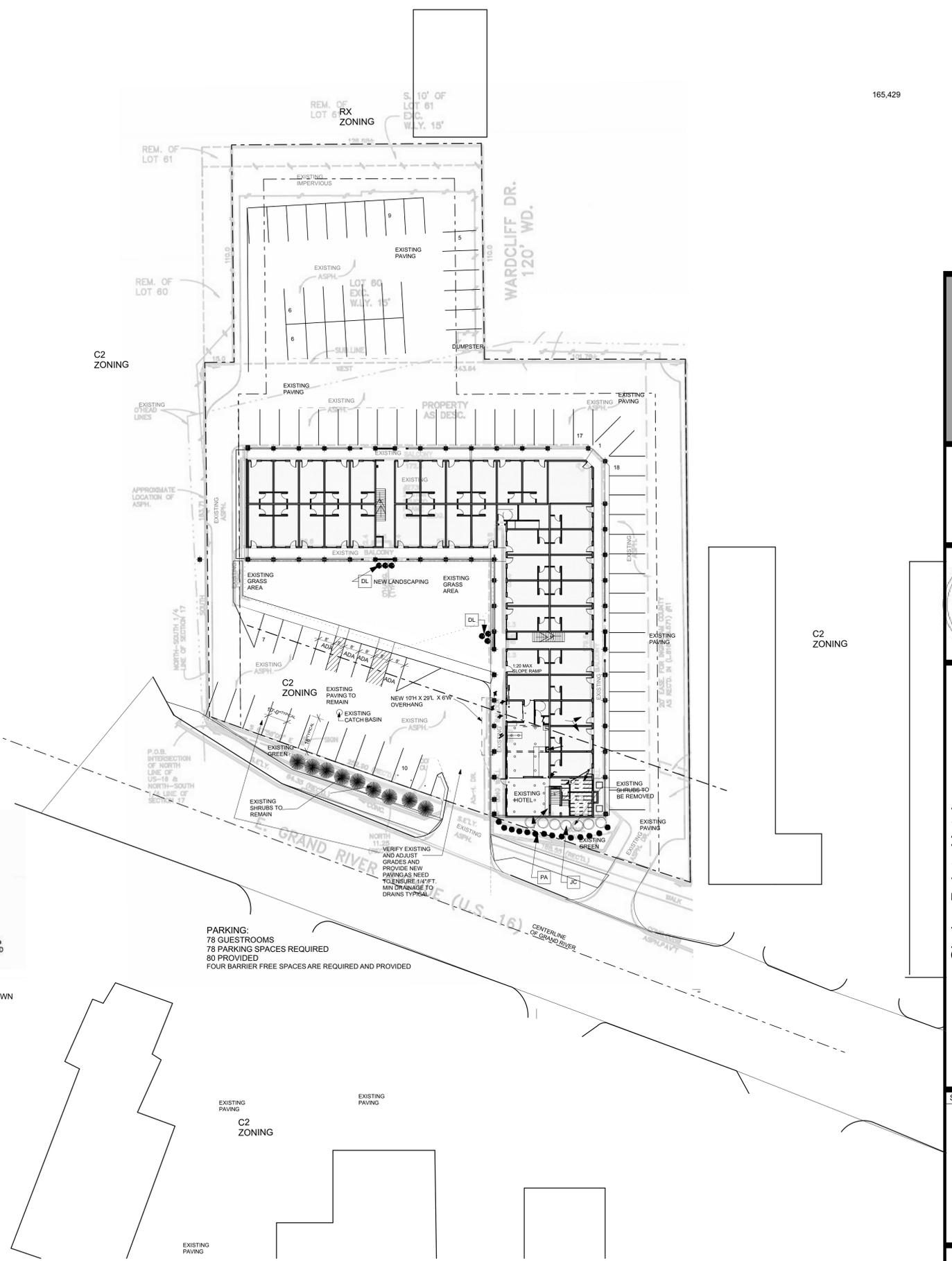
1. Unique circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district. ***The proposed decorative canopy is an alternative the franchise approved, instead of a porte cochere. The proposed location of the decorative canopy is necessary because of the location of the current lobby/proposed lobby. Any other location would take away significant pervious surface, and would not be ideal.***
2. These special circumstances are not self-created. ***The current building and location are existing.***
3. Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties. ***We would not be able to provide the decorative canopy, which is a requirement of the mid-scale brand.***
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. ***We would not be able to provide the decorative canopy, which is a requirement of the mid-scale brand.***
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. ***The addition of the decorative canopy will allow the property to go from economy scale to mid-scale and be an improvement to the area and public safety.***
6. Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property. ***The addition will not have any negative effect to the surrounding area and will be an improvement.***
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 situation is unique.***
8. Granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter. ***The improvement will provide more upscale accommodation options to this area and an improvement to public safety.***



**PROPERTY DESCRIPTION:**

Land in the Township of Meridian, Ingham County, Michigan, described as: Commencing on the North line of US-16 and its intersection with the North and South 1/4 line of Section 17, Town 4 North, Range 1 West, Meridian Township, Ingham County, Michigan; thence Southeasterly 84.35 feet along the North line of US-16; thence North 11.25 feet; thence Southeasterly 168.55 feet along the North line of US-16; thence North 266.75 feet; thence West 243.64 feet to the North and South 1/4 line of Section 17; thence South along the North and South 1/4 line of Section 17, 183.17 feet to the point of beginning; also Lot 60 and the South 10.00 feet of Lot 61, except the Westerly 15.00 feet of said Lots of EASTWOOD ACRES SUBDIVISION, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 17 of Plats, Page 37, Ingham County Records.

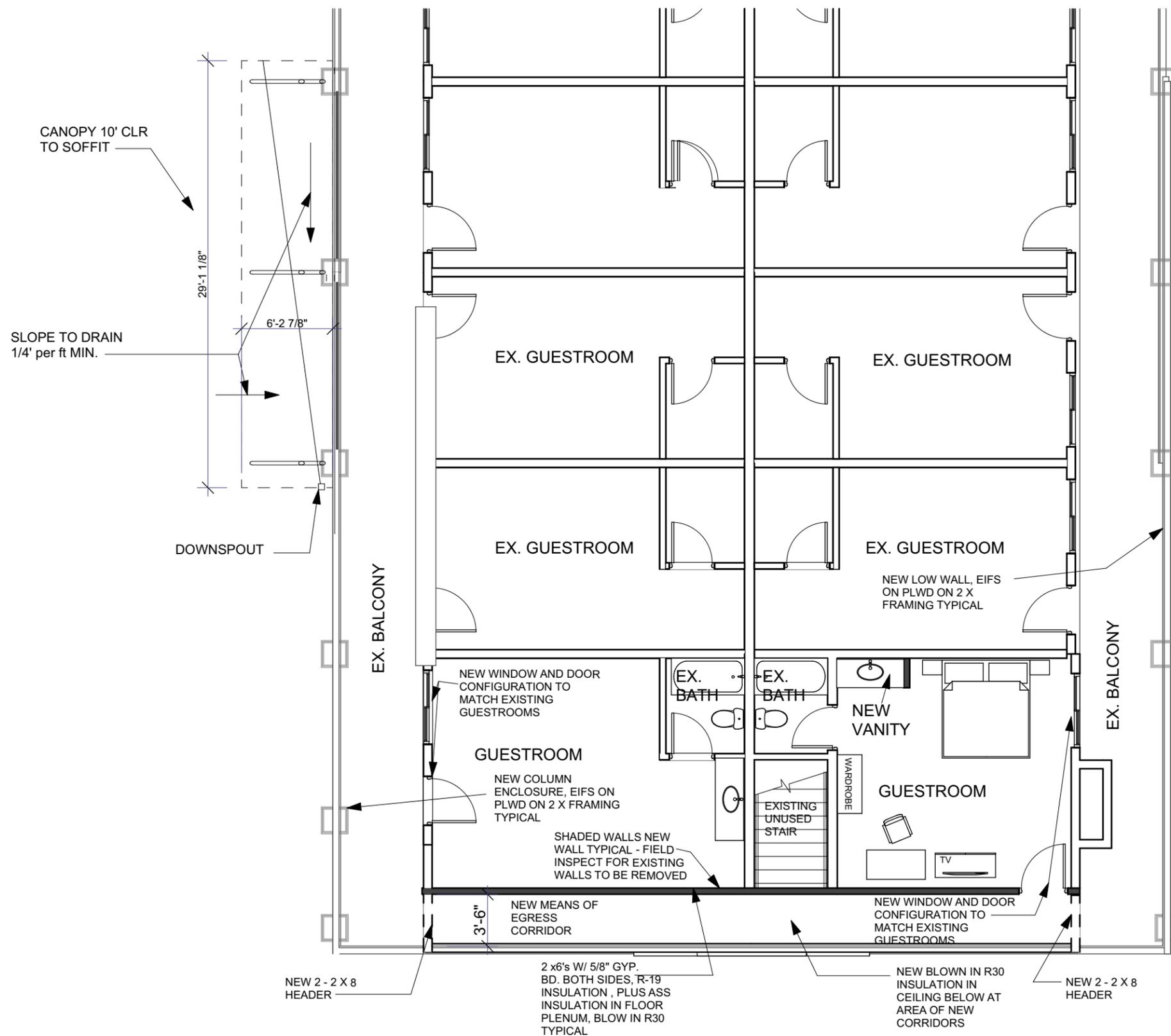
The above described parcel of land are tax assessed as: Beginning at the North line of M-43 and its intersection with the North-South 1/4 line of Section 17; thence North 67 degrees 56 minutes East along the North Right of Way line 252.9 feet; thence North 266.75 feet; thence West 243.64 feet to the North-South 1/4 line; thence South 183.71 feet on the 1/4 line to the place of beginning. Also, Lot 60, except the West 15 feet thereof; EASTWOOD ACRES SUBDIVISION. Also the South 10 feet of Lot 61, except the West 15 feet thereof; EASTWOOD ACRES SUBDIVISION, Section 17, Town 4 North, Range 1 West.



2

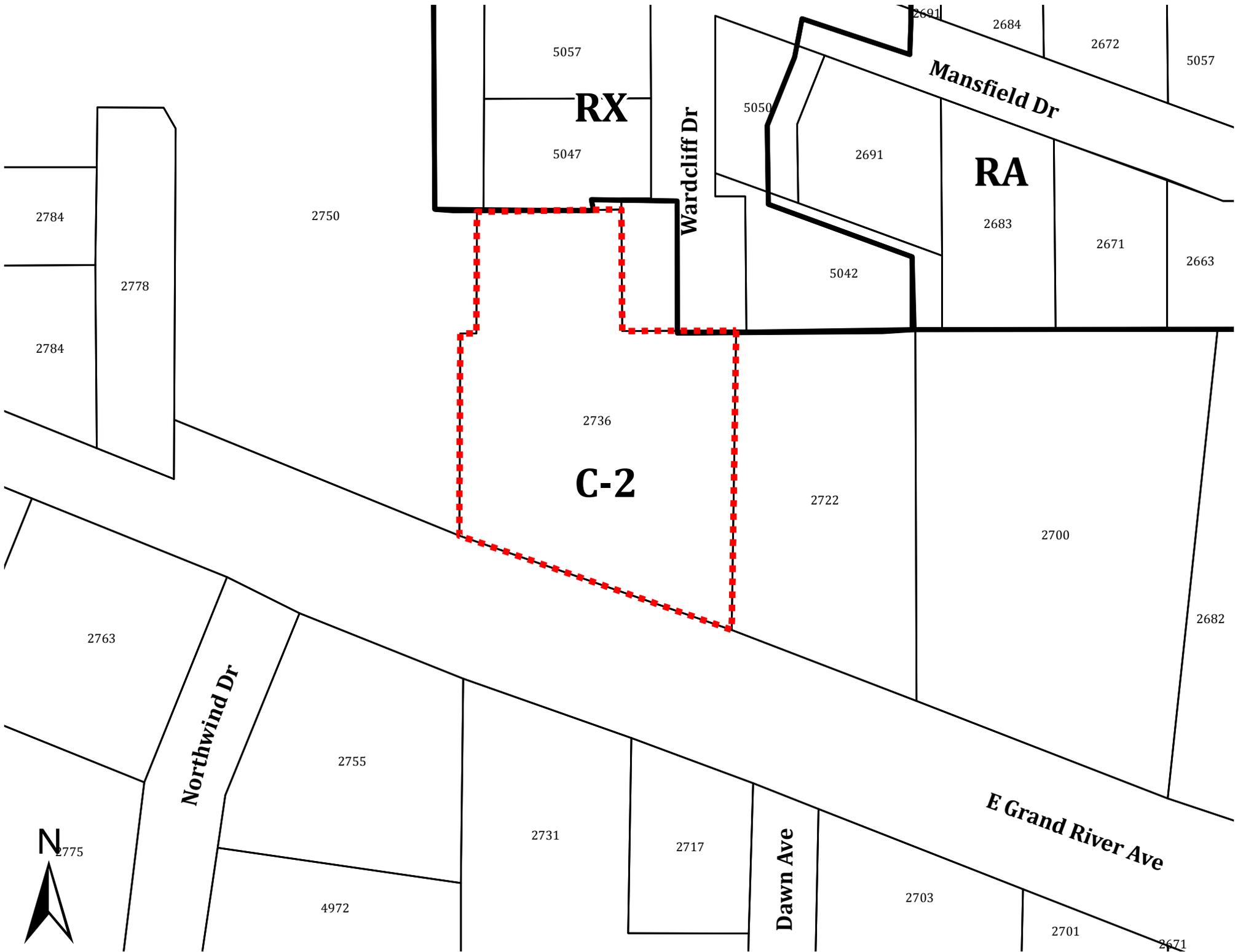
# Second Floor Over Lobby Area

SCALE: 1/8" = 1'-0"



Pointe Lansing  
Jarratt Architecture 8-21-2012





**CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS REGULAR MEETING MINUTES \*APPROVED\*  
5151 MARSH ROAD, OKEMOS, MI 48864-1198  
(517) 853-4000  
WEDNESDAY, NOVEMBER 13, 2019 6:30 PM  
TOWN HALL ROOM**

PRESENT: Chair Beauchine, Members Field-Foster, Wisinski, Lane  
ABSENT: Member Mansour  
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. APPROVAL OF AGENDA**

MEMBER FIELD-FOSTER MOVED TO APPROVE THE AGENDA.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

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

Wednesday, October 23, 2019

MEMBER LANE MOVED TO APPROVE THE MINUTES FROM WEDNESDAY, OCTOBER 23,  
2019.

SECONDED BY MEMBER WISINSKI.

VOICE VOTE: Motion carried unanimously.

**4. COMMUNICATIONS**

None.

**5. UNFINISHED BUSINESS**

None.

**6. NEW BUSINESS**

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

DESCRIPTION: 2736 Grand River Avenue  
TAX PARCEL: 17-460-017  
ZONING DISTRICT: C-2 (Commercial)

The applicant is requesting 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 86-402(17). Maximum impervious surface. The maximum percentage of impervious surface permitted on a site shall be 70 percent. Impervious surfaces shall include all land covered with paving and buildings. The impervious surface shall be calculated by dividing the total impervious surface by the gross area of the site.
- 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.
- Section 86-756(7), Curb and gutter. Concrete curb and gutter shall be required in order to control storm water flow from the parking area and in order to protect landscaped areas such as landscape islands and other plantings.

The variance requests are to expand a nonconforming nonresidential structure, exceed 70 percent impervious surface coverage, and reconfigure the parking lot at 2736 Grand River Avenue.

Assistant Planner Quagliata outlined the case for discussion.

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

Mr. William Jarratt, 108 N. LaFayette, South Lyon, MI, the applicant's representative, indicated the applicant's preference was to keep the existing layout with the same size parking spaces and aisle width and no curb and gutter.

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

Assistant Planner Quagliata stated the existing building had 82 rooms and the applicant proposed to remove four rooms. With 78 rooms 78 parking spaces were required and the applicant proposed 76 parking spaces so a variance for two parking spaces was requested. The applicant intended to resurface the parking lot and was required to restripe the spaces to 10 feet in width and 18 feet in depth. He also stated the applicant had to demonstrate how stormwater runoff could be controlled without curb and gutter.

Mr. Jarratt stated nine foot wide parking spaces would allow for more spaces. He stated short-term parallel parking spaces could be striped where drive aisles were wide enough to add two parking spaces.

Assistant Planner Quagliata stated short-term parallel parking would not be counted as two permanent parking spaces. The existing driveways were nonconforming to Michigan Department of Transportation (MDOT) and Township standards and with nonconforming maneuvering lane widths cars parked in drive aisles and parallel at the driveways would block access to and circulation around the site.

Chair 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 the site met this requirement.

Assistant Planner Quagliata stated three items could be counted towards pervious surface: (1) perimeter landscape buffers, (2) fifty percent of a stormwater detention or retention basin, and (3) parking lot islands and medians that are 20 feet or greater in each dimension.

Member Wisinski asked staff how the pervious surface was calculated.

Assistant Planner Quagliata stated the applicant's engineer would need to do calculations.

Member Field-Foster stated it was difficult to determine the minimum action necessary due to the lack of information provided by the applicant.

Member Lane suggested considering the area on the northern portion of the site as impervious unless information was submitted that demonstrated otherwise. He stated while the site may be unique the hotel had been there for many years without a porte-cochere and not having it was not a hardship.

Chair 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.

Chair 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 review criteria three and four had not been met.

Chair Beauchine 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. He stated not allowing the porte-cochere would be the minimum action.

Chair 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 was not met as no information regarding how the stormwater would be managed was provided.

Chair Beauchine read 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 this criteria had been met.

Chair 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 the proposed project would improve the site.

Chair Beauchine stated the maximum impervious surface coverage was over 70 percent and could not meet review criteria three, four, five, and six.

Chair Beauchine asked staff if 9 foot by 20 foot parking spaces could be striped on the site.

Assistant Planner Quagliata stated the intent of requiring 10 foot by 18 foot parking spaces was to keep the maneuvering lane widths closer to compliance with the ordinance.

Member Lane asked staff what was the number of rooms in the hotel.

Assistant Planner Quagliata stated following interior renovations the hotel would contain 78 rooms so 78 parking spaces were required. He added with 76 parking spaces proposed a variance for two parking spaces was requested.

Member Field-Foster questioned whether the number of parking spaces was conforming with 82 parking spaces.

Assistant Planner Quagliata stated the existing number of parking spaces was conforming but the dimensions of the parking spaces were nonconforming.

Member Lane stated if it were not for the porte-cochere and the circle drive there would be sufficient parking.

Mr. Jarratt stated in order to upgrade the hotel it would be a hardship not to include a porte-cochere in order to compete with other hotels.

Member Lane stated the hardship had to be tied to the use of the land and whether the hotel could operate without the porte-cochere. He noted the hotel could be operated without a porte-cochere.

Chair Beauchine stated the concern with the lack of information and a case had not been made to satisfy review criteria two, three, four, five, and six.

Chair Beauchine stated the ZBA could deny the request, table the request, or postpone the request which would allow the applicant to come back with additional information.

Assistant Planner Quagliata expressed preference for tabling the case. He stated whether the case was tabled or denied new noticing would be required.

Chair Beauchine asked the applicant if they had anything to add regarding disposition.

Mr. Jarratt reiterated the financial difficulty of delaying the project.

Chair Beauchine stated the ZBA could not consider the financial difficulties of the applicant when making a decision.

**MEMBER FIELD-FOSTER MOVED TO DENY ZBA CASE NO. 19-11-13-1, THE VARIANCES REQUESTED FROM SECTION 86-618(2), SECTION 86-402(17), SECTION 86-755, SECTION 86-756(2), AND SECTION 86-756(7) BASED ON THE INABILITY OF ANY OF THE FIVE REQUESTS TO MEET REVIEW CRITERIA THREE, FOUR, AND FIVE.**

SECONDED BY MEMBER LANE.

ROLE CALL TO VOTE: YES: Members Field-Foster, Lane, Wisinski, Chair Beauchine  
NO:  
Motion carried unanimously.

**7. OTHER BUSINESS**

**A. 2020 Meeting Schedule**

MEMBER WISINSKI MOVED TO ADOPT THE RESOLUTION APPROVING THE 2020 ZONING BOARD OF APPEALS MEETING SCHEDULE.

SECONDED BY MEMBER FIELD-FOSTER.

ROLE CALL TO VOTE: YES: Members Wisinski, Field-Foster, Lane, Chair Beauchine  
NO:  
Motion carried unanimously.

**8. PUBLIC REMARKS**

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

**9. BOARD MEMBER COMMENTS**

Assistant Planner Quagliata noted the next ZBA meeting was December 11, 2019.

**10. ADJOURNMENT**

Meeting adjourned at 7:31 p.m.

Respectfully Submitted,

Justin Quagliata  
Assistant Planner