

CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING AGENDA
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, February 12, 2014 6:30 PM
TOWN HALL ROOM

A. CALL MEETING TO ORDER

B. APPROVAL OF AGENDA

C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

- o Wednesday December 11, 2013
- o Wednesday January 8, 2014

D. UNFINISHED BUSINESS

1. ZBA CASE NO. 14-01-08-1 DAVID SKINNER c/o CYNERGY AEC, 320 S. BOSTON, 12TH FLOOR
TULSA, OK 74103
DESCRIPTION: 5110 Times Square Drive
TAX PARCEL: 15-400-025
ZONING DISTRICT: CS Commercial)

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

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

The applicant is proposing to install more than one wall sign on the front façade of the Walmart, and one wall sign is permitted; therefore the applicant is requesting a variance.

E. NEW BUSINESS

1. ZBA CASE NO. 14-02-12-1 MICHIGAN STATE UNIVERSITY FEDERAL CREDIT UNION, 3777 WEST ROAD, EAST LANSING, MI 48823
DESCRIPTION: Jolly Road, east of Jolly Oak Road
TAX PARCEL: 33-378-006 & 33-378-007
ZONING DISTRICT: C-2 (Commercial)

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

- o Section 86-404(e)(11), which states banks, credit unions, savings and loan establishments are permitted by special use permit to have a maximum of five drive-through lanes.
- o Section 86-755, outlines the parking standards and states for retail businesses with a gross floor area less than 25,000 square feet: five (5) spaces per 1,000 square feet (minimum) to 5 ½ spaces per 1,000 square feet (maximum) are to be provided.

The applicant is requesting a variance to construct a credit union facility (Michigan State University Federal Credit Union) with six (6) four drive-through lanes and five (5) drive-through lanes are permitted. The applicant is also requesting a variance to exceed the maximum number of parking spaces.

2. ZBA CASE NO. 14-02-12-2 JUSTIN SPANGLER, 5975 CYPRESS STREET, HASLETT, MI 48840
DESCRIPTION: 5975 Cypress Street
TAX PARCEL: 10-202-019
ZONING DISTRICT: RB (Single Family, High Density)

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

- Section 86-754, which states in one-family residential districts, no motor vehicle parking space shall be provided in the front yard, except on a paved or gravel driveway that occupies no more than 35 percent of the total areas of the front yard.

The applicant is requesting a variance to exceed the maximum 35 percent of the total areas of the front yard to be occupied by paved or gravel surface for parking.

☞ 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 -JIM HERSHISER

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.

BRET DREYFUS
TOWNSHIP CLERK

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.

CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING MINUTES ***DRAFT***
5151. MARSH ROAD, OKEMOS MI 48864-1198
517.853.4000
WEDNESDAY, DECEMBER 11, 2013

PRESENT: Members, Jackson, LeGoff, Ohlrogge, Hershiser, Chair Beauchine,
ABSENT: None
STAFF: Martha Wyatt, Associate Planner/Landscape Architect;
Mark Kieselbach, Director of Community Planning and 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 JACKSON

VOICE VOTE: Motion carried unanimously.

C. CORRECTIONS, APPROVAL, & RATIFICATION OF MINUTES

Wednesday, October 9, 2013 and Wednesday, October 23, 2013

MEMBER OHLROGGE MOVED TO APPROVE THE 10/9/13 MINUTES AS WRITTEN

SECONDED BY MEMBER LEGOFF

VOICE VOTE: Motion carried unanimously.

MEMBER HERSHISER MOVED TO APPROVE THE 10/23/13 MINUTES AS WRITTEN

SECONDED BY MEMBER JACKSON

VOICE VOTE: Motion carried unanimously

MEMBER OHLROGGE REQUESTED A 10 MINUTE RECESS FOR MEMBERS TO REVIEW
DOCUMENTS RECEIVED JUST PRIOR TO THE MEETING.

SECONDED BY MEMBER JACKSON

VOICE VOTE: Motion carried unanimously.

Recessed from 6:33 pm to 6:43 pm

D. UNFINISHED BUSINESS

None

E. NEW BUSINESS

1. ZBA CASE NO. 13-12-11-1 TERRY BAKER, 6093 ANCHOR COVE, DIMONDALE, MI 48821

DESCRIPTION: 743 Grand River Avenue

TAX PARCEL: 25-126-001

ZONING DISTRICT: C-2 (Commercial)

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

- Section 86-618(2), which states 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 applicant is requesting to alter the roofline of an existing nonconforming building and add increase the height and bulk of the building; therefore the applicant is requesting a variance.

Ms. Wyatt outlined the case for review.

Mr. Terry Baker, 6093 Anchor Cove, Dimondale, the applicant, stated the part of the building that is being added to will not increase the non-conformity of the building.

Member Hershiser asked Mr. Baker if the remodeling would add at all to the non-conformity of the building.

Mr. Baker replied none of the remodeling would result in increasing the non-conformity.

MEMBER HERSHISER MOVED TO APPROVE THE VARIANCE AS REQUESTED

SECONDED BY MEMBER JACKSON

Member Ohlrogge said the variance meets all of the review criteria (Section 86-221).

Member Jackson asked the applicant what a "mansard" was.

Mr. Baker replied a "mansard" is very similar to a parapet wall and it is intended to keep fire from spreading from one roof to another.

Chair Beauchine said he would support the variance.

Member LeGoff voiced her support.

VOICE VOTE: YES: Member Hershiser, Jackson, Ohlrogge, LeGoff, and Chair Beauchine

NO: None

Motion carried 5-0.

2. ZBA CASE NO. 13-12-11-2 CRAIG SKOCZYLAS, 6329 MILENZ STREET, HASLETT, MI 48840

DESCRIPTION:	6329 Milenz Street
TAX PARCEL:	02-177-001
ZONING DISTRICT:	RB (Single Family, High Density)

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

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

The applicant is proposing to construct an addition (roofed open porch) to the front façade of the house and the addition does not meet the required front yard setback; therefore the applicant is requesting a variance.

Ms. Wyatt outlined the case for discussion. Ms. Wyatt also spoke of recent submissions from neighbors regarding the case; a letter from Joanne and Gary Tuttle, 6340 Milenz Street, in support of the variance, and a phone call from Mr. and Mrs. Choi, 6315 Quail Street, in support of the variance.

Mr. Craig Skoczylas, 6329 Milenz Street, the applicant, said he has recently purchased the property and has been busy trying to make it more harmonious with the neighboring homes by upgrading the outside. He said the porch is part of his overall plan for the home's updates.

Mrs. Joanne Tuttle spoke in support of the variance.

Member Hershiser commented Randall Rymer, 6321 Milenz Street, wrote a letter saying he had concerns about the amount of junk in the yard.

Member LeGoff questioned whether the state of the yard was at all pertinent to the request for a variance.

Chair Beauchine asked Mr. Skoczylas if he was addressing this issue of items in the yard.

Mr. Skoczylas said he had been busy working full time and getting plans done for the home so he had not had a chance to address the disarray in the yard but he has since eliminated it.

Member Jackson commented the applicant had stated he had other plans for the home and asked his future plans.

Mr. Skoczylas explained he would like to add a garage and the architect he had consulted said the size of the proposed porch would be pleasing when the garage is added which would give a harmonious appearance to the home.

Member Ohlrogge commented the variance request does not meet review criteria five as outlined in Section 86-22L. The size of the proposed porch would exceed the minimum amount to be done to make the structure usable.

Chair Beauchine said a narrow porch can be unusable when there is not enough space to put furniture on it. He commented it seems if a deck is allowed to project eight feet into a rear yard setback then the same consideration should be made in the front yard for a porch. He said the request does not seem excessive.

Member Hershiser said he was not initially in favor of the request but had been swayed by the discussion.

Member Ohlrogge stated the tidiness of the yard was not pertinent in this case.

Member Jackson asked staff if there was a minimum size requirement for porches.

Ms. Wyatt replied she was not aware of any minimum size required for porches.

Member Ohlrogge said 6.5 feet was large enough for most items that go on porches.

Member Hershiser said in his opinion the variance meets review criteria six and eight so he would support the variance.

MEMBER HERSHISER MOVED TO APPROVE THE VARIANCE AS WRITTEN

SECONDED BY MEMBER LEGOFF

VOICE VOTE: YES: Member Hershiser and Member LeGoff

NO: Member Jackson, Ohlrogge and Chair Beauchine

Motion denied 3-2.

Chair Beauchine said according to the staff report the requested variance is 2.5 feet so a 6.5 foot porch would require a 1 foot variance. He said a motion to approve the smaller variance would be welcome.

Member Ohlrogge said in her understanding the numbers in the staff report are correct.

Chair Beauchine asked staff to clarify the measurements in the staff report.

Ms. Wyatt stated the scale of the survey did not accurately reflect the actual variance needed and she was not sure if the applicant understood the survey was not accurate.

Mr. Skoczylas said he was under the impression the amount of the variance was 1.5 feet.

Chair Beauchine asked staff if the 1 foot overhang was part of the variance or if it was allowed by ordinance.

Ms. Wyatt said the overhang was allowed by ordinance and the 6.5 foot wide porch would be allowed under ordinance as measured from the street right-of-way.

MEMBER JACKSON MOVED TO APPROVE A VARIANCE FOR 1.5 FEET INTO THE SETBACK

SECONDED BY MEMBER HERSHISER

Member Ohlrogge stated the reduced variance still does not meet review criteria five.

Chair Beauchine pointed out the reduced variance would meet the rest of the review criteria.

VOICE VOTE: YES: Member Jackson, Hershiser, LeGoff, and Chair Beauchine

NO: Member Ohlrogge.

Motion carries 4-1.

3. ZBA CASE NO. 13-12-11-3, ISMAIL ABU-HALTRAM, 3957 DAYSPRING, OKEMSO, MI 48864

DESCRIPTION:	3957 Dayspring Court
TAX PARCEL:	32-227-014
ZONING DISTRICT:	RA (Single Family, Medium Density)

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

- Section 86-506, which states no fence, wall, or screen shall be erected higher than six feet, as measured from the ground upon which it sits to its highest point. Altering the existing grade, such as but not limited to mounding or terracing of land shall not be permitted to increase the height of the fence, wall, or screen, unless the combined height of such grading, mounding, or terracing together with the fence, wall, or screen is six feet or less above the ground upon which it sits.

The applicant is proposing to adjust the grade of the rear yard and construct a retaining wall and fence. The combined height exceeds the maximum allowed height of six (6) feet; therefore the applicant is requesting a variance.

Ms. Wyatt outlined the case for discussion.

Mr. Ismail Abu-Haltram, 3957 Dayspring Court, Okemos, the applicant, said he would like to level the back yard to accommodate a pool and basketball court for his children. He would like the 6 foot fence to enhance the privacy of the yard. He said he has a permit for the grading work

and several of his neighbors approve of the fence even though it would appear very tall from their point of view.

Mr. Andy Benedict, 3972 W. Sunwind Drive, Okemos, spoke in opposition to the fence. He explained there is a storm sewer in the rear yard area of 3966 W. Sunwind Drive, and the yards are prone to flood in the spring. He said he was concerned about the impact the fill and retaining wall would have on the water issue. He went on to say he thinks the fence would be an eyesore from his point of view, similar to a highway retaining wall. He said he was concerned because construction had already begun on the retaining wall and fence.

Ms. Terry James, 3966 W. Sunwind Drive, Okemos, spoke in opposition to the fence. She said they do not want to look out onto a 9 foot wall in their backyard. She said it would ruin the appearance of the rear yard.

Mr. Ted Bolema, 3933 Dayspring Court, Okemos, said he was concerned the project would increase flooding and ruin the view.

Mr. Abu-Haltram said the engineering report he received from the Township indicates the water issue would be helped by the fill and grading and retaining wall.

Member Hershiser explained the water and flooding issues are not considered by the Zoning Board of Appeals. He said the only issue they are deciding on is the fence. He said in his opinion asking any neighbor to look upon a 9 foot wall is not reasonable. He stated the ordinance is clear that no fence or fence/retaining wall combination is to exceed 6 feet.

Chair Beauchine remarked religious reasons are also not under the consideration of the Zoning Board of Appeals, and said if religious reasons are creating a need for privacy then other options could be explored.

Member Hershiser commented landscaping with evergreens can be very effective to achieve privacy.

Member Ohlrogge said the variance request does not meet any of the variance review criteria as outlined in Section 86-221.

MEMBER JACKSON MOVED TO DENY THE VARIANCE BECAUSE IT DOES NOT MEET REVIEW CRITERIA.

SECONDED BY MEMBER HERSHISER.

Chair Beauchine said he did some quick calculations and said there would be approximately 350 running feet of fence ranging from 6 foot to 9 foot all around the property which seemed very excessive so he would support denial of the variance.

VOICE VOTE: YES: Member Jackson, Hershiser, Ohlrogge, LeGoff and Chair Beauchine

NO: None

Motion carries 5-0.

F. OTHER BUSINESS

Member Hershiser read into the record the resolution for 2014 meeting dates

Seconded by Chair Beauchine

VOICE VOTE: Motion to approve carries unanimously.

G. PUBLIC REMARKS

None

H. BOARD MEMBER COMMENTS

None

I. ADJOURNMENT

Chair Beauchine adjourned the meeting at 8:25 p.m.

Respectfully Submitted,

Angela M. Ryan
Recording Secretary

CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING MINUTES ***DRAFT***
5151 MARSH ROAD, OKEMOS MI 48864-1198
517.853.4000
WEDNESDAY, JANUARY 8, 2014

PRESENT: Members Jackson, LeGoff, Ohlrogge, Hershiser, Chair Beauchine,
ABSENT: None
STAFF: Martha Wyatt, Associate Planner/Landscape Architect

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 WITH THE REMOVAL OF CASE 14-01-08-1 AT THE APPLICANT'S REQUEST AND THE REMOVAL OF THE RATIFICATION OF MINUTES DATED 12/11/13 AS NO MINUTES WERE AVAILABLE.

SECONDED BY MEMBER LEGOFF

VOICE VOTE: Motion carried unanimously.

C. CORRECTION, APPROVAL AND RATIFICATION OF MINUTES

-Wednesday, December 11, 2013

D. ELECTION OF OFFICERS

Chair Beauchine asked for nominations and election of new officers for 2014.

Member Ohlrogge moved to elect Member Beauchine as Chair and Member Hershiser as Vice Chair

Seconded by Member Jackson

VOICE VOTE: Motion carried unanimously.

E. UNFINISHED BUSINESS

None

F. NEW BUSINESS

1. ZBA CASE NO. 14-01-08-2 MAURICIO PINCHEIRA, 4228 RAIN FOREST CIRCLE, OKEMOS, MI 48864

DESCRIPTION: 4228 Rain Forest Circle
TAX PARCEL: 29-402-040
ZONING DISTRICT: RAA (Single Family, Low Density)

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

Respectfully Submitted,

Angela M. Ryan
Recording Secretary

The applicant is requesting to locate an accessory building (in-ground swimming pool) less than ten feet from the principal building (house); therefore the applicant is requesting a variance.

Ms. Wyatt outlined the case for discussion.

Mr. Mauricio Pincheira, 4228 Rain Forest Circle, Okemos, the applicant explained the addition of the pool was a learning process and during the process there was some miscommunication about where the measurements are concerned. The pool is already in and was inspected by the Township during all phases of construction.

Member Hershiser remarked the spirit of the ordinance is for the safety of the inhabitants. He said he thought the applicant had followed the rules and this was an unfortunate occurrence.

MEMBER HERSHISER MOVED TO APPROVE AS LONG AS THE APPLICANT CONTACTS THE FIRE DEPARTMENT AND GETS AN APPROVAL LETTER FOR THE REDUCED CLEARANCE.

SECONDED BY MEMBER LEGOFF

Member Ohlrogge commented she is frustrated by the lack of communication between the different contractors involved and does not want people to think it is okay to build where you want and ask permission later.

Member Jackson asked the applicant if he saw any part of the process as confusing.

Mr. Pincheira remarked in hindsight he should have had all of the contractors communicate with each other to avoid the confusion. He said the Community Planning and Development Department was very helpful in trying to clear up the confusion.

Chair Beauchine commented there should be a glossary in the zoning ordinance which would clearly define how certain dimensions are measured.

Member Hershiser commented he hated to lay the responsibility at the feet of the Fire Department but he did not see any other option to ensure the safety of the residents.

VOICE VOTE: YES: Members Hershiser, LeGoff, Ohlrogge, Chair Beauchine, Jackson

NO: None

Motion carried 4-1.

G. OTHER BUSINESS

None

H. PUBLIC REMARKS

None

I. BOARD MEMBER COMMENTS

None

J. ADJOURNMENT

Chair Beauchine adjourned the meeting at 7:05 p.m.

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:

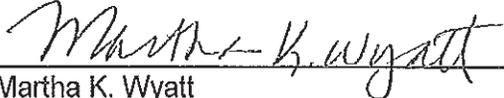
1. Granting a variance shall authorize only the purpose for which it was granted.
2. The effective date of a variance shall be the date of the Zoning Board of Appeals approves such variance.
3. A building permit must be applied for within 24 months of the date of the approval of the variance, and a Certificate 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
Assistant Planner/Landscape Architect

DATE: February 7, 2014

RE: ZBA Case No. 14-01-08-1

ZBA CASE NO.: 14-01-08-1, DAVID SKINNER C/O CYNERGY AEC, 320 S. BOSTON 12TH
FLOOR, TULSA OK 74103
DESCRIPTION: 5110 Times Square Drive
TAX PARCEL: 15-400-025
ZONING DISTRICT: CS (Commercial)

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

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

This case was originally scheduled for the January 8, 2014 meeting of the Zoning Board of Appeals (ZBA), however the applicant requested the case be postponed until the February 12, 2014 ZBA meeting.

The applicant, who is representing Walmart, is requesting to remove two (2) existing wall signs on the front façade (west side) of the store, and install four (4) new wall signs in approximately the same locations. In 2000, a variance was granted by the Zoning Board of Appeals, permitting six (6) wall signs for the Walmart store (ZBA Case #00-02-23-3). The permitted wall signs are listed (and numbered) as follows:

WALL SIGNS PERMITTED WITH VARIANCE (ZBA #00-02-23-3)

<u>Sign</u>	<u>Location</u>	<u>Dimensions</u>	<u>Size (sq. ft.)</u>
(#1) WAL*MART	West Elevation Near Front Entrance	37.67' x 5.0'	188.35
(#2) WAL*MART Tire & Lube Express	West Elevation	15.88' x 6.84'	108.62
(#3) Quaker State or Penzoil	West Elevation	5.0' x 6.0'	30.00

<u>Sign</u>	<u>Location</u>	<u>Dimensions</u>	<u>Size (sq. ft.)</u>
(#4) Tires	West Elevation Above Bay Door	0.5' x 0.64'	0.32
(#5) Tires	West Elevation Above Bay Door	0.5' x 0.64'	0.32
(#6) Lube Express	West Elevation	0.5' x 4.48'	2.24
TOTAL SQUARE FEET (6 SIGNS)			329.85 SF

In 2003, a building permit was issued for the installation of two (2) wall signs (PB #03-0224), as listed below:

EXISTING WALL SIGNS:

<u>Sign</u>	<u>Location</u>	<u>Dimensions</u>	<u>Size (sq. ft.)</u>
(#1) WAL*MART	West Elevation Near Front Entrance	37'-2 3/4" x 5'	186.15
(#2) WAL*MART Tire & Lube Express	West Elevation	15.5' x 6'-10"	105.92
TOTAL SQUARE FEET (2 SIGNS-EXISTING)			292.07 SF

Sign #1 and #2 were installed on the building as described above. The four (4) remaining wall signs (signs #3-#6) approved as part of the variance request in 2000 have not been installed. The timeframe of the original sign variance has expired and the variance is considered void; therefore the signs which were not installed as part of the original variance cannot be installed (signs #3, #4, #5, and #6).

The applicant is proposing to remove the two (2) existing wall signs and install four (4) new wall signs. Variances granted by the Zoning Board of Appeals are based on the facts presented with each individual variance application. Any modification that would affect the intent of the variance would require approval by the Zoning Board of Appeals. In this case, the applicant intends to remove two (2) existing wall signs and install four (4) new wall signs with different dimensions than those signs approved under ZBA Case #00-02-23-3; therefore a new variance request is required.

Per Section 86-687(3)a., one wall sign is allowed on the building's front façade; the size is equivalent to one square foot for each lineal foot of building frontage occupied. The lineal frontage of the Walmart store is approximately 500 feet; thus allowing one (1) wall sign, up to 500 square feet in size.

The applicant is proposing to install one (1) new wall sign (Walmart with spark symbol) on the west elevation over the main entrance door, approximately 199.54 square feet in size (6'-6 9/16" x 30'-5 3/4"), which is the same location as Sign #1 in the 2000 variance request. The existing wall sign is 186.15 square feet in size.

The remaining three (3) wall signs are proposed by the tire and lube facility, also on the west elevation (south end of the building). The "Auto Center" wall sign, approximately 31.47 square feet (2'-0" x 15'-3 1/8"), is located in the same location as Sign #2 in the 2000 variance request. The existing wall sign is approximately 105.92 square feet in size.

As an informational note the applicant did not calculate the sign area (for the existing wall sign at the tire and lube facility, shown on page 2 of the color drawings) per the Township standards by boxing out the entire sign, therefore the square footage is incorrect (77.11 square feet). The actual square footage is 105.92 square feet.

Two (2) additional wall signs ("Tire") are proposed, above two (2) car bay doors. Each sign is approximately 2.38 square feet (1'-0" x 2'-3 3/8").

The total square footage of the four (4) proposed signs is 235.77 square feet. The total square footage of the two (2) existing signs is 292.07 square feet.

The proposed wall signs are summarized below:

PROPOSED WALL SIGNS:

<u>Sign</u>	<u>Location</u>	<u>Dimensions</u>	<u>Size (sq. ft.)</u>
WALMART*	West Elevation Near Front Entrance	6' x 6'-6'-6 9/16"	199.54
Auto Center	West Elevation	2'-0" x 15'-3 1/8"	31.47
Tire	West Elevation	1'-0" x 2'-3 3/8"	2.38
Tire	West Elevation	1'-0" x 2'-3 3/8"	2.38
TOTAL SQUARE FEET (4 PROPOSED SIGNS)			235.77

The applicant is requesting to install four (4) wall signs on the west elevation; therefore the applicant is requesting a variance for more than one wall sign.

The applicant also submitted sign drawings for replacement sign panels for three (3) existing freestanding signs, which do not require variances as the size of each replacement panel is consistent with the variances granted under ZBA Case #00-02-23-3. Building permits are required for the replacement panels.

Site History

- The commercial project was approved under Special Use Permit #99091, Special Use Permit #99151, and Site Plan Review #99-39.
- In 2000, a variance was granted by the Zoning Board of Appeals allowing the installation of six (6) wall signs on the west façade of the building (ZBA Case #00-02-23-3).
- A Court Settlement Agreement was executed on March 5, 2002 which affirmed the wall sign variance granted by the Zoning Board of Appeals in 2000.
- The building was constructed between 2002 and 2003.
- On January 12, 2011, the Zoning Board of Appeals granted a variance permitting two (2) wall signs on the west façade (removal of 2 wall signs and installation of 2 wall signs), under ZBA Case #11-01-12-1.

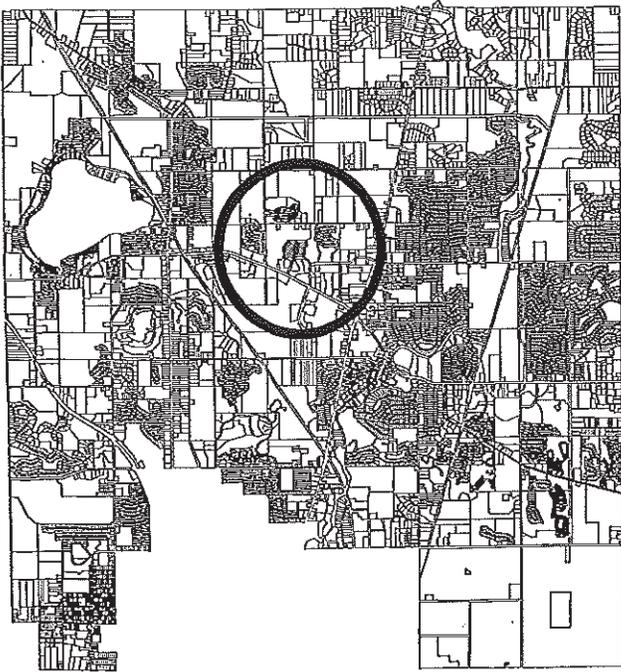
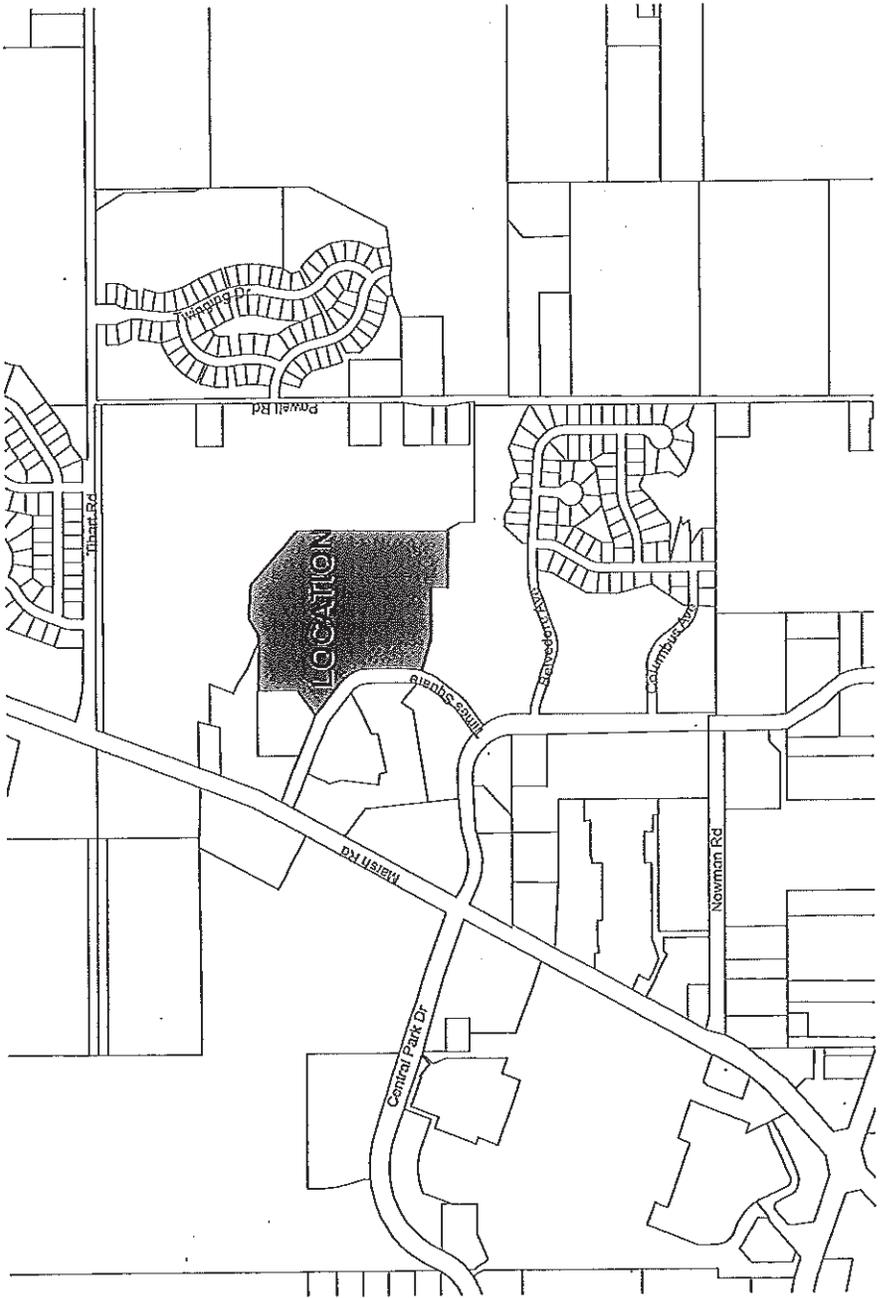
Attachments

1. Application
2. Site Location Map
3. Letter from Applicant
4. ZBA Case #00-02-23-3 Approval Letter dated March 10, 2000
5. Sign Permit for Wall Signs (PB #03-0224)
6. ZBA Case #11-01-12-1 Approval Letter dated January 14, 2011
7. Sign Illustration Packages from Walmart

**ZONING BOARD OF APPEALS #14-01-08-1
(DAVID SKINNER/CYNERGY AEC)**

**REQUEST TO REMOVE 2 WALL
SIGNS & INSTALL 4 WALL SIGNS
AT 5110 TIMES SQUARE DRIVE
(WALMART)**

CHARTER TOWNSHIP OF MERIDIAN





CYNERGY AEC
ARCHITECTURE • ENGINEERING • CONSTRUCTION

Date: December 13, 2013

To: Martha Wyatt/Zoning Board of Appeals
Charter Township of Meridian
5151 Marsh Rd.
Okemos, MI 48864
517-853-4580

David Skinner (918) 877-6000 x369

Subject: Wal-Mart #2866 Supercenter
5110 Times Square Place
Okemos, MI 48864
Sign Variance Application

CC: File

VIA: Fed X overnite

Transmittal

Martha,

Please find note via this letter my response(s) to Review Criteria standards as relates to the proposed sign change-out and variance application for Walmart store #2866 at Times Square Place in Okemos, MI.

The proposed sign change-out would be part of the upcoming remodel to said Walmart store. As such, any of the remodel Walmart stores that do not have the current corporate brand (new Walmart/spark) are requested by Walmart to have sign change-out/update as part of the remodel. Per our earlier conversation, you have noted that the current variance in place (granted in 2011) allows for two (2) signs; the current older Wal "star" Mart and the combined Auto Center signs, which read Walmart, Tire & Lube, Express. By the our submittal, it should be noted that we are seeking to apply a total of four (4) signs; Walmart/spark, Auto Center, (2) Tire signs. These signs total 235.77 sf., as opposed to the existing sign total of 267.11 sf. So, we are proposing to reduce overall sign square footage.

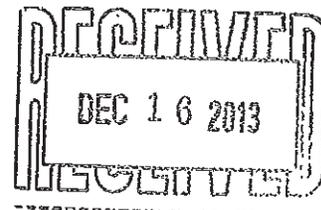
The circumstances surrounding the variance request would be to apply Walmart's new corporate brand & logo (Walmart/spark), which is nationwide now, and different from the current (and outdated brand/logo). We are seeking to remove the larger Auto Center signs and replace w/smaller signs which should be more pleasing esthetically and in keeping with architectural aspects of the existing store. These sign changes are particular to this store, and as they are corporate branding should not adversely affect surrounding areas.

We would hope that the Board would view this request favorably, and recognize Walmart's efforts in that part to be good stewards of their property with the Township and surrounding areas.

I will be attending the hearing myself and will happy to address with the Board any questions or items that they would like clarification on, or that I may not have addressed here.

Sincerely,

David Skinner
Cynergy AEC,
320 S. Boston, 12th Floor
Tulsa, OK, 74103
(918) 877-6000 x369



Cynergy AEC
320 S. Boston Ave., 12th Floor
Tulsa, Oklahoma 74103
Telephone 918-877-6000
Fax 918-877-4000

CHARTER TOWNSHIP OF MERIDIAN

Bruce A. Little Supervisor
 Mary M.G. Helmbrecht Clerk
 Thomas E. Klunzinger Treasurer
 Gerald J. Richards Manager



Bill McCullough Trustee
 Susan McGillicuddy Trustee
 Kirk K. Squiers Trustee
 Andrew J. Such Trustee

March 10, 2000

Mandy Bunch
 FREELAND, KAUFMAN, & FREEDEN
 810 F NW 3rd Street
 Bentonville, AR 72712

RE: ZBA Case No. 00-02-23-3
 (Wal*Mart Department Store)

Dear Ms. Bunch:

At its regular meeting on March 8, 2000, the Zoning Board of Appeals voted to approve your variance requests from the following sections of the Code of Ordinances:

- From Section 85-5.3(a) of the Code of Ordinances, which permits the following wall signs on the proposed building:

<u>Sign</u>	<u>Location</u>	<u>Dimensions</u>	<u>Size (sq. ft.)</u>
WAL*MART	West Elevation Near Front Entrance	37.67' x 5.0'	188.35
WAL*MART Tire & Lube Express	West Elevation	15.88' x 6.84'	108.62
Quaker State or Penzoil	West Elevation	5.0' x 6.0'	30.00
Tires	West Elevation Above Bay Door	0.5' x 0.64'	0.32
Tires	West Elevation Above Bay Door	0.5' x 0.64'	0.32
Lube Express	West Elevation	0.5' x 4.48'	2.24

- From Section 86-1.13(b) of the Code of Ordinances, which eliminates the requirement of a four (4) foot building perimeter landscape area between the building and the parking lot along the building's east and south elevation. Approval of the variance was based on the submitted site plan, dated December 20, 1999.

The granting of the variances were based on the site plan and information as submitted. Any modification that would affect the intent of the variance would require the approval of the Zoning Board of Appeals.

Please note that the construction authorized by the variance must begin within one (1) year and be completed within eighteen (18) months from the date of granting.

The Zoning Board of Appeals also voted to deny your variance requests from the following sections of the Code of Ordinances:

- o From Section 85-5.3(a) of the Code of Ordinances, which would have permitted the following wall signs on the proposed building:

<u>Sign</u>	<u>Location</u>	<u>Dimensions</u>	<u>Size (sq. ft.)</u>
Tires	East Elevation Above Bay Door	0.5' x 0.64'	0.32
Tires	East Elevation Above Bay Door	0.5' x 0.64'	0.32
Lube Express	East Elevation	0.5' x 4.48'	2.24

- o From Section 85-5.3(e) of the Code of Ordinances, which would have permitted the WAL*MART sign, located near the front entrance, to extend above the roofline of the building.

By ordinance, no application for a variance, which has been wholly or partially denied, shall be submitted for a period of one (1) year from the date of last denial, except on the grounds of newly discovered evidence or proof of a changed condition.

If you have any questions, please feel free to contact me at (517) 349-1200, ext. 362.

Sincerely,



Troy D. Langer

Associate Planner

cc: Building Division
Site Plan Review File

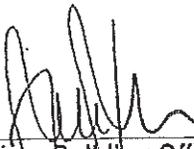
**CHARTER TOWNSHIP OF MERIDIAN
BUILDING DEPARTMENT**
Phone: (517) 349-1200 Ext. 393/395

BUILDING PERMIT NO. PB03-0224
5151 Marsh Road, Okemos, MI 48864-1198
Hours: Monday-Friday 8:00-5:00

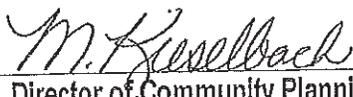
Location 5110 TIMES SQUARE OKEMOS 33-02-02-15-400-025	Owner WAL-MART REAL ESTATE BUSINESS 702 SW 8TH STREET BENTONVILLE AR 72716
Issued: 05/05/03 Expiration Date: 11/01/03 CALL (517) 349-1200 EXT. 393/395 FOR AN INSPECTION CALL 24 HOURS IN ADVANCE	Contractor SIGN CRAFTERS INC 1508 STRINGTOWN RD EVANSVILLE IN 47711 812 424 9011

Work Description: SIGN - (2) WALL (WAL MART)

Paid	Permit Item	Work Type	Item Total
Before Issue	Wall Sign	Sign	\$31.00
Before Issue	Wall Sign	Sign	\$112.00



Building Official



Director of Community Planning

Fee Total: \$143.00
Amount Paid: \$143.00
Balance Due: \$0.00

I agree this permit is only for the work described and does not grant permission for additional or related work which requires separate permits. I understand that this permit may become null and void if work is not started within 180 days, or if work is suspended or abandoned for a period of 180 at any time after work has commenced; and that I am responsible for assuring all required inspections are requested in conformance with the applicable code.

I hereby certify that the proposed work is authorized by the owner, and that I am authorized by the owner to make this application as his authorized agent. I agree to comply to all applicable laws of the State of Michigan and the local jurisdiction. All information on the permit application is accurate to the best of my knowledge.

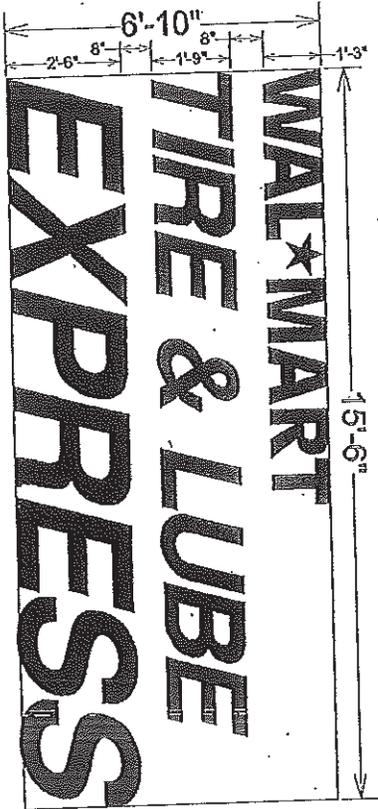
Payment of permit fee constitutes acceptance of the above terms.

POST THIS PERMIT SO IT IS VISIBLE FROM THE STREET

Inspection Record

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

Payment Validation



Plastic stud mount letters

Scale: 1/4"=1'

105-99 109.44

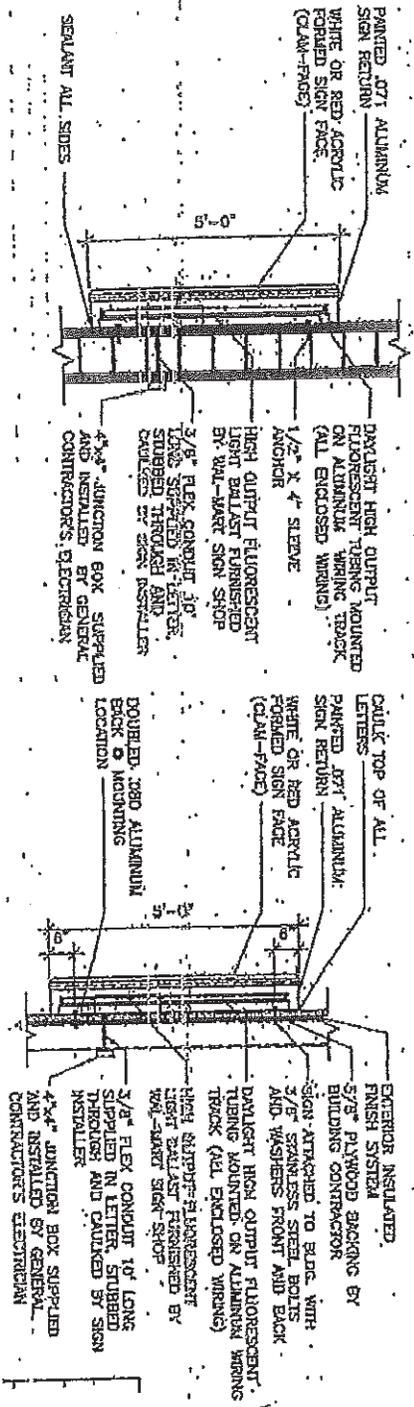
RECEIVED
APR 15 2003
RECEIVED

WALL STAR MART

37'-2-3/4"

5'

186-15-109-11



Scale: 3/16"=1'

RECEIVED
APR 15 2003

CHARTER TOWNSHIP OF MERIDIAN

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



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

January 14, 2011

Ray Stubblefield
 345 Riverview Suite 200
 Wichita, KS 67203

RE: ZBA #11-01-12-1 (5110 Times Square Drive)

Dear Mr. Stubblefield:

The Zoning Board of Appeals, at its regular meeting held on January 12, 2011 voted to approve your request for a variance from the following section of the Code of Ordinances:

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

Approval of the variance permits the installation of two (2) new wall signs to replace the existing wall signs on the west elevation of the Walmart store, as follows:

<u>Sign</u>	<u>Location</u>	<u>Dimensions</u>	<u>Size (sq. ft.)</u>
WALMART	West Elevation Near Front Entrance	8' x 37'-3"	298
Tire & Lube	West Elevation Tire & Lube center	2'-1 5/8" x 13'-6 5/8"	28.94

The variance was approved with the following condition:

The four (4) wall signs on the west elevation by the Tire and Lube center as approved under ZBA CASE NO. 00-02-23-3, shall not be installed as agreed to at the Zoning Board of Appeals meeting on January 12, 2011, are listed below:

<u>Sign</u>	<u>Location</u>	<u>Dimensions</u>	<u>Size (sq. ft.)</u>
(#3) Quaker State or Penzoil	West Elevation	5.0' x 6.0'	30.00
(#4) Tires	West Elevation Above Bay Door	0.5' x 0.64'	0.32

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

<http://www.twp.meridian.mi.us>
 An Equal Opportunity Employer

RAY STUBBLEFIELD (ZBA CASE NO. 11-01-12-1)
5110 TIMES SQUARE DRIVE
January 14, 2011
Page 2

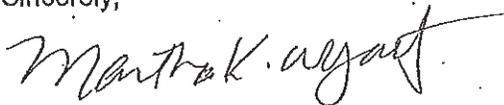
<u>Sign</u>	<u>Location</u>	<u>Dimensions</u>	<u>Size (sq. ft.)</u>
(#5) Tires	West Elevation Above Bay Door	0.5' x 0.64'	0.32
(#6) Lube Express	West Elevation	0.5' x 4.48'	2.24

The granting of the variance was based on the site plan and information as submitted by the applicant. Any modification that would affect the intent of the variance would require approval by the Zoning Board of Appeals. The effective date for the variance is January 12, 2011, the date the Zoning Board of Appeals approved the variance.

A building permit must be applied for within 24 months of the date of the approval of the variance and the project must be completed within 18 months of the date the building permit was issued or the variance shall be void.

If you have any questions, please contact me at 517-853-4580.

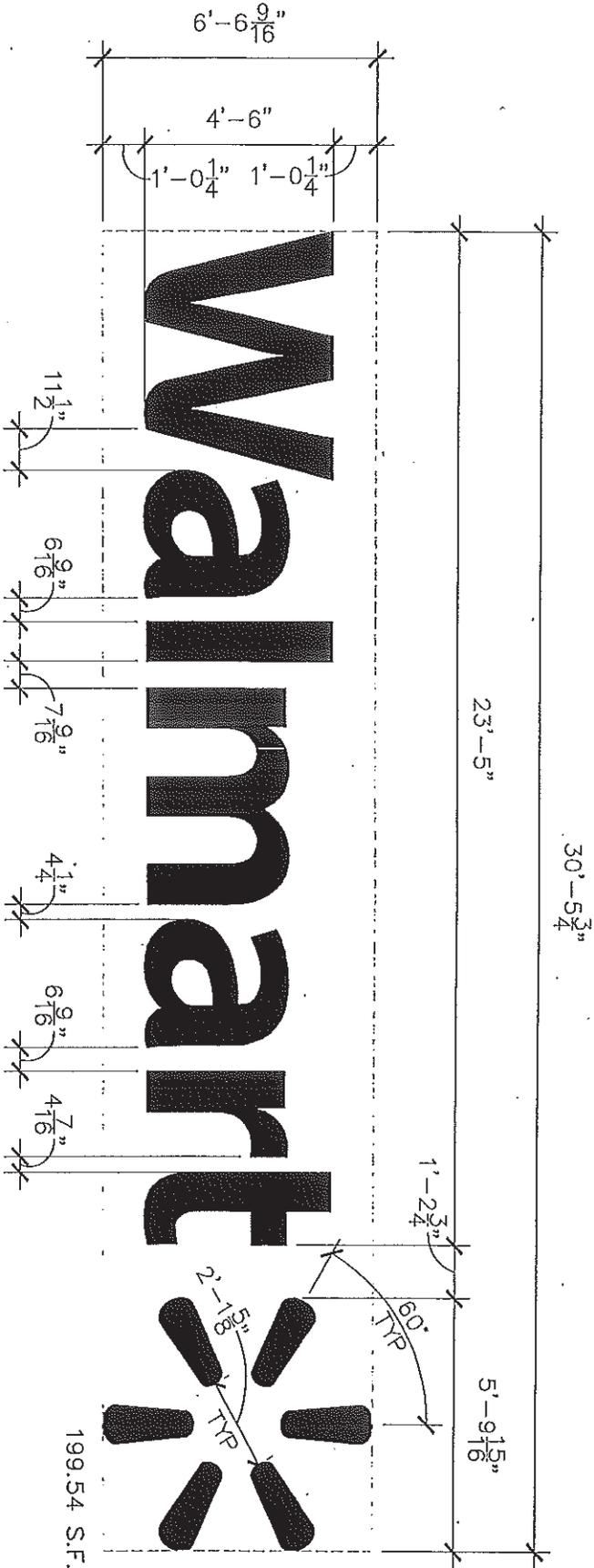
Sincerely,



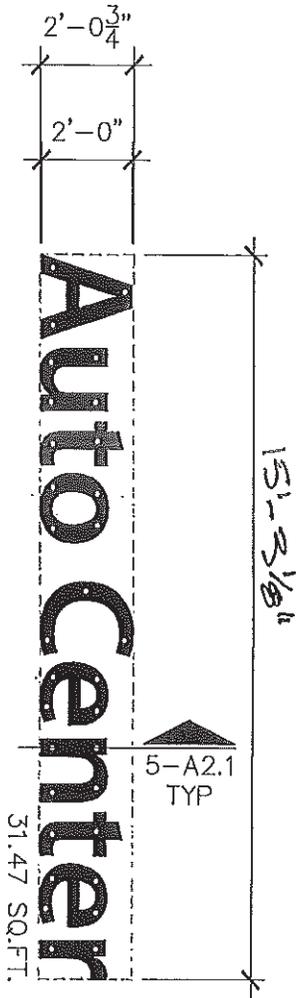
Martha K. Wyatt
Assistant Planner/Landscape Architect

cc: Building Division
Special Use Permit file
Site Plan Review file

1 SIGNAGE
 $\frac{1}{4}" = 1'-0"$

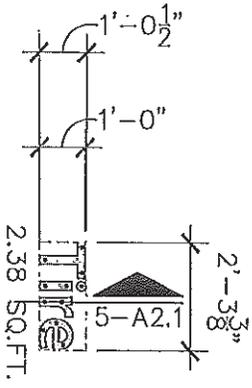


RECEIVED
 JAN 07 2014
 1555177

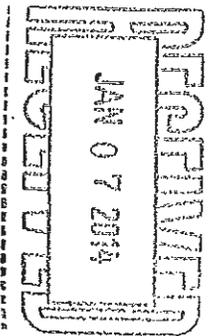


2 SIGNAGE
1/4" = 1'-0"

RECEIVED
JAN 07 2014
1508115



3 SIGNAGE
1/4" = 1'-0"



MEMORANDUM

TO: Zoning Board of Appeals

FROM: 
Martha K. Wyatt
Associate Planner/Landscape Architect

DATE: February 7, 2014

RE: ZBA Case No. 14-02-12-1

ZBA CASE NO. 14-02-12-1 MICHIGAN STATE UNIVERSITY FEDERAL CREDIT UNION, 3777 WEST ROAD, EAST LANSING, MI 48823
DESCRIPTION: Jolly Road, east of Jolly Oak Road
TAX PARCEL: 33-378-006 & 33-378-007
ZONING DISTRICT: C-2 (Commercial) District

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

- Section 86-404(e)(11), which states banks, credit unions, savings and loan establishments are permitted by special use permit to have a maximum of five drive-through lanes.
- Section 86-755, provides parking standards and states for retail businesses with a gross floor area less than 25,000 square feet: five (5) spaces per 1,000 square feet (minimum) to 5 ½ spaces per 1,000 square feet (maximum) are to be provided.

Michigan State University Federal Credit Union (MSUFCU) is proposing to construct an approximate 7,520 square foot credit union branch building on Unit 6 and Unit 7 in the Meridian Crossing shopping center. The site is located on the north side of Jolly Road, east of Jolly Oak Road and west of Meridian Crossing Drive (southwest corner of Meridian Crossing shopping center).

The proposed project includes six (6) drive-through lanes: four drive-through lanes connected to the north side of the building with a canopy and two stand-alone drive-through ATM lanes, in a detached/separate structure (with a canopy), east of the main building.

Section 86-404(e)(11) limits the number of drive-through lanes to five (5) lanes. Six (6) drive-through lanes are proposed; therefore the applicant is requesting a variance to exceed the maximum number of drive-through lanes.

The second variance request is regarding the maximum number of parking spaces permitted for a retail business. Section 86-755 outlines the parking standards for retail businesses stating the minimum number of parking spaces is five (5) spaces per 1,000 square feet of gross floor area and the maximum number is five and one-half (5 ½) spaces per 1,000 square feet of gross floor area. The proposed credit union building is 7,520 square feet (gross floor area). The required number of parking spaces ranges from 37 (minimum) to 42 spaces (maximum).

The plans indicate 53 parking spaces are proposed which equates to approximately seven (7) spaces per 1,000 square feet of gross floor area. The applicant is requesting a variance to exceed the maximum number of parking spaces by 11 spaces.

The applicant intends to apply for site plan review in the near future.

Site History

- On May 5, 1999 the Planning Commission approved Special Use Permit #99071 for the Meridian Crossing shopping center.
- On January 13, 2014 the Planning Commission approved Special Use Permit #13161 for the construction of a credit union branch (Michigan State University Credit Union), subject to the applicant applying for and receiving all applicable variances from the Zoning Board of Appeals.

Attachments

1. Application
2. Site Location Map
3. Letter from the Applicant
4. Approval letter dated January 14, 2014, Special Use Permit #13161 (MSUFCU)
5. Site plans dated December 27, 2013

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

VARIANCE APPLICATION

A. Applicant Michigan State University Federal Credit Union
Address of Applicant 3777 West Road, East Lansing, MI 48823, April Clobes, EVP/COO

Telephone (Work) 517-333-2256 Telephone (Home) N/A
Fax 517-333-2227 Email address: aclobes@msufcu.org
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 2300 Jolly Road (pending)
Zoning district C-2 Parcel number 33-02-02-33-378-006
33-02-02-33-378-007

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. 86-404.-C-2 commercial district. (e) (11)
Sec. 86-755.-Schedule of req. for parking spaces: All
other retail businesses

D. Required Supporting Material Supporting Material if Applicable

- Properly 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

April M Clobes
Signature of Applicant

APRIL M Clobes
Print Name

December 27, 2013
Date

Fee: \$450.00

Received by/Date: Mark [Signature] 12/27/13

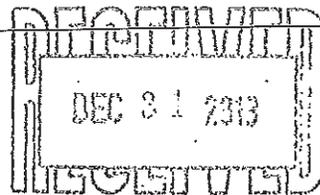
I (we) hereby grant permission for members of the Charter Township of Meridian Zoning Board of Appeals, Township staff members and the Township's representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the purposes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

Date

Signature of Applicant(s)

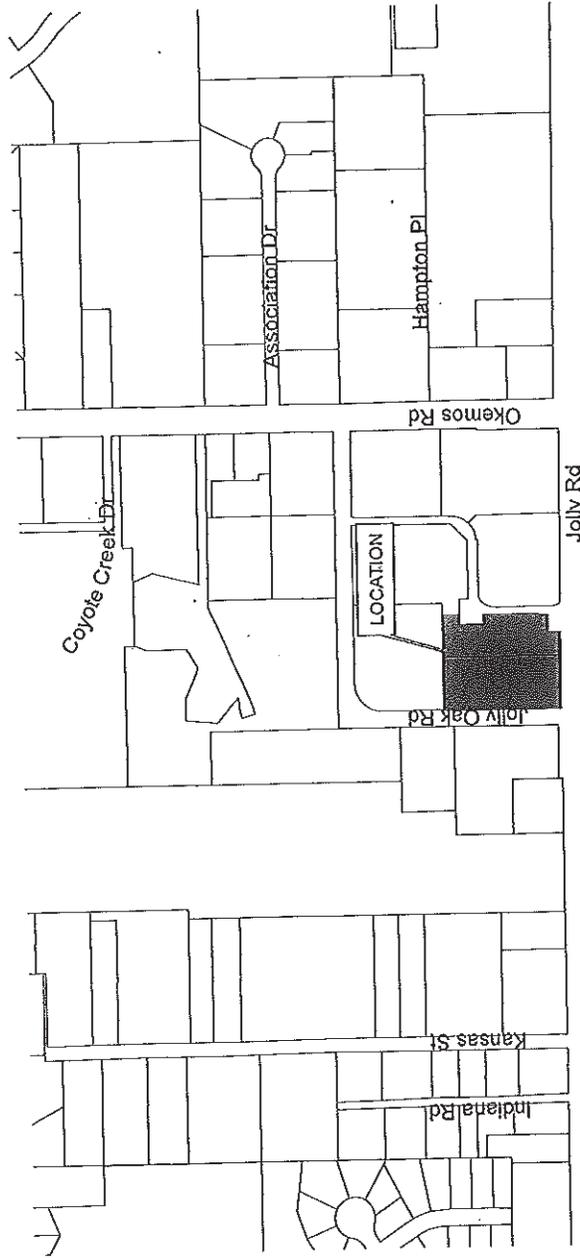
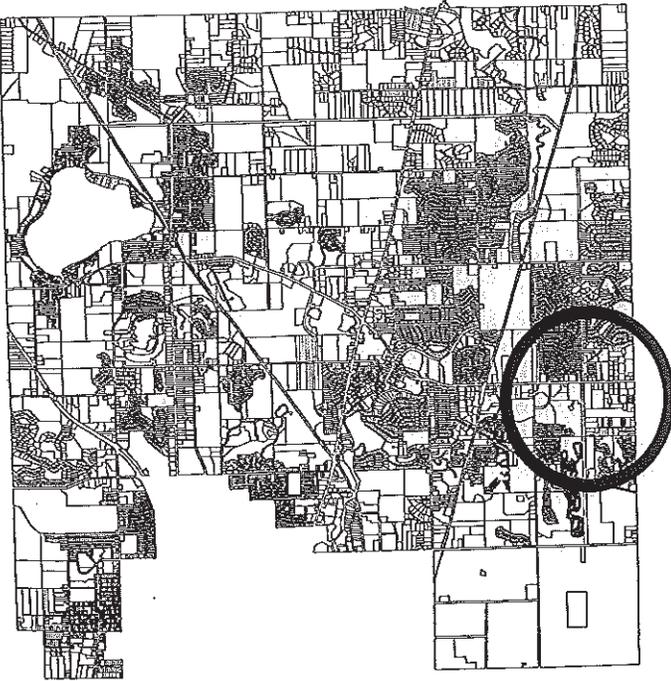
Date



**ZONING BOARD OF APPEALS #14-02-12-1
(MICHIGAN STATE FEDERAL CREDIT UNION)**

**REQUEST TO EXCEED THE MAXIMUM
NUMBER OF PARKING SPACES &
DRIVE-THRU LANES AT NEW CREDIT
UNION BUILDING AT N.E. CORNER OF
JOLLY RD. & JOLLY OAK RD.**

CHARTER TOWNSHIP OF MERIDIAN



**DANIELS AND
ZERMACK**

ARCHITECTS, LLC. Architects and Interior Designers

*2080 South State Street
Ann Arbor, MI 48104-4696
(734) 761-2090 (734) 761-6607 FAX*

MEMORANDUM

TO: Charter Township of Meridian
Zoning Board of Appeals

FROM: Daniels and Zermack Architects, LLC

DATE: December 27, 2013

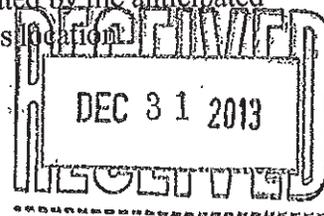
RE: Attachment: Variance Application Dated 12-27-13
Michigan State University Federal Credit Union
Proposed Credit Union Branch
2300 Jolly Road (Pending)
Okemos, MI

Project Narrative:

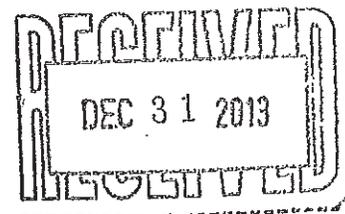
The Michigan State University Federal Credit Union project proposes a full service Credit Union branch facility with attended drive-up lanes and self service drive-up ATMs to serve their members in Meridian Township and other nearby communities. The Credit Union will be constructed as part of the Meridian Crossings development and is consistent with the Township vision and intent for this area. This project will not have an adverse affect on the general area and is adequately served by existing public services. The new Credit Union will create an overall positive impact on the adjacent uses and the general Township Community. Specific responses to Variance Application Supplement 1-8 are as follows:

Response Variance Application Supplement:

1. The circumstances that are unique to this credit union structure is the high level of branch member activity as shown by an existing MSUFCU location on Central Park Drive which has four attended lanes and two ATM lanes. This activity is generally not applicable to smaller credit unions or commercial bank activity.
2. The need for adequate parking and drive-thru facilities is created by the anticipated member and visitor volume as well as the service demands at this location.



3. The strict interpretation would create practical parking difficulties and long wait times for the members resulting in unnecessary wasting of time and resources.
4. The result of not granting the variance would unnecessarily burden site activity and present the credit union from utilizing the large site to its full potential to serve the community.
5. Based on the credit union experience at other locations of this size and commercial locations, including the Central Park Drive facility, the requested variances are the minimum required to serve public safety.
6. The variances will not adversely affect adjacent properties or the character of the area.
7. The conditions requested are unique to this financial institution and member demand.
8. Granting these variances is consistent with the public purpose to provide safe, reasonable access to services without unnecessary wasteful waiting or confusion to the visitors. It meets the intent of the ordinance to provide adequate, but not excessive, vehicular circulation.



CHARTER TOWNSHIP OF MERIDIAN

Elizabeth Ann LeGoff Supervisor
Brett Dreyfus Clerk
Julie Brixie Treasurer
Frank L. Walsh Manager



Milton L. Scales Trustee
Ronald J. Styka Trustee
John Veenstra Trustee
Angela Wilson Trustee

January 14, 2014

April Clobes, EVP/COO
Michigan State University Federal Credit Union
3777 West Road
East Lansing, MI 48823

RE: Special Use Permit #13161 (MSUFCU)

Dear Ms. Clobes:

At its regular meeting held on January 13, 2014, the Planning Commission voted to approve Special Use Permit #13161, a request to construct an approximate 7,520 square foot Michigan State University Federal Credit Union branch with four drive-through teller windows and two drive-through ATM units. The approximate 3.15 acre site is located on the northeast corner of Jolly Road and Jolly Oak Road. Approval was granted subject to the following conditions:

1. Approval of the Michigan State University Federal Credit Union branch with four drive-through teller lanes and two drive-through ATM lanes is based on the submitted application materials including a revised site plan dated December 27, 2013, a conceptual landscape plan, and exterior elevations dated November 22, 2013, prepared by Daniels and Zermack, LLC, subject to revisions as required.
2. The applicant shall obtain all applicable permits, licenses, and approvals from the Ingham County Road Department, Ingham County Drain Commissioner and the Township prior to any work taking place on the site. Copies of all permits, licenses, and approvals shall be submitted to the Department of Community Planning and Development.
3. The applicant shall seek and receive variances from the Meridian Township Zoning Board of Appeals to exceed the maximum number of motor vehicle parking spaces and exceed the maximum number of drive-through lanes for a C-2 zoned financial institution or redesign the site plan as necessary.
4. Final utility plans for the site are subject to approval of the Director of Public Works and Engineering and shall be in accordance with the Township Engineering Design and Construction Standards.
5. Site accessories such as exterior lighting fixtures for streets and buildings, and bicycle racks shall be of commercial quality, and complement the building design and style. Final design

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

www.meridian.mi.us



- and location shall be subject to the approval of the Director of Community Planning and Development.
6. Buried construction or other materials and debris found anywhere on the 3.15 acre site, and debris resulting from clearing, grading, or construction activities related to the proposed project shall be removed from the site and be properly disposed.
 7. A seven (7) foot wide concrete pedestrian-bicycle pathway shall be constructed along the site's Jolly Oak Road frontage. The construction and installation of the pathway shall be in accordance with the Township's Engineering Design and Construction Standards.
 8. A concrete sidewalk a minimum of five (5) feet in width shall be constructed along the site's Meridian Crossing Drive frontage. The construction and installation of the sidewalk shall be in accordance with the Township's Engineering Design and Construction Standards.
 9. Any future additions or expansions to the building will require modification to Special Use Permit #13161.
 10. A copy of information that exists on computer for the project and construction plans shall be provided to the Director of Public Works and Engineering in an AutoCad compatible format.

Decisions by the Planning Commission regarding special use permits may be appealed to the Township Board. An appeal must be filed within ten (10) days of the date of the Planning Commission's action and be in accordance with Section 86-189 of the Code of Ordinances. Consequently, your special use permit will not become valid until January 23, 2014.

This letter shall act as the Special Use Permit. The use permitted by the granting of the special use permit must have commenced within two years after issuance or the permit shall be void. All construction related to the special use must be completed within three years from the effective date of the special use permit.

If you have any questions regarding this matter, please contact me at (517) 853-4564, or e-mail me at oranchak@meridian.mi.us.

Sincerely,



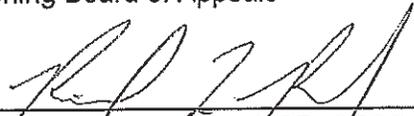
Gail Oranchak, AICP
Principal Planner

cc: Greg Mackenzie
Ray Severy
Younes Ishraidi
John Heckaman
✓Martha Wyatt

MEMORANDUM

TO: Zoning Board of Appeals

FROM:


Richard F. Brown, Jr., AICP, CBSP
Associate Planner

DATE: February 6, 2014

RE: ZBA Case No. 14-02-12-2

ZBA CASE NO.: 14-02-12-2 JUSTIN SPANGLER, 5975 CYPRESS STREET, HASLETT, MI 48840
DESCRIPTION: 5975 Cypress Street
TAX PARCEL: 10-202-019
ZONING DISTRICT: RB (Single Family-High Density)

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

- Section 86-754, which states in one-family residential districts, no motor vehicle parking space shall be provided in the front yard, except on a paved or gravel driveway that occupies no more than 35 percent of the total area of the front yard.

The applicant has installed a gravel parking area beyond the existing asphalt driveway, which exceeds the maximum allowed coverage of 35 percent of the total area of the front yard specified in Section 86-754 of the Code of Ordinances. Based on the drawing provided by the applicant (properly scaled at 1" = 10' and not scaled at 1" = 8' as stated on the submitted drawing), 64.8 percent of the front yard between the front edge of the deck and the street is now occupied by paved or gravel surface.

The following chart summarizes the applicant's request:

Maximum Coverage	Proposed Coverage	Variance Request
35 percent	64.8 percent	Increase of 29.8 percent

Meridian Township became knowledgeable of the excessive front yard coverage upon receiving code enforcement complaints starting on October 10, 2013. The Township issued a Municipal Civil Infraction on October 29, 2013 and an Municipal civil Infraction Citation on December 2, 2013. This matter is pending at District court until such time as the Zoning Board of Appeals makes its decision on the variance request.

Site Information

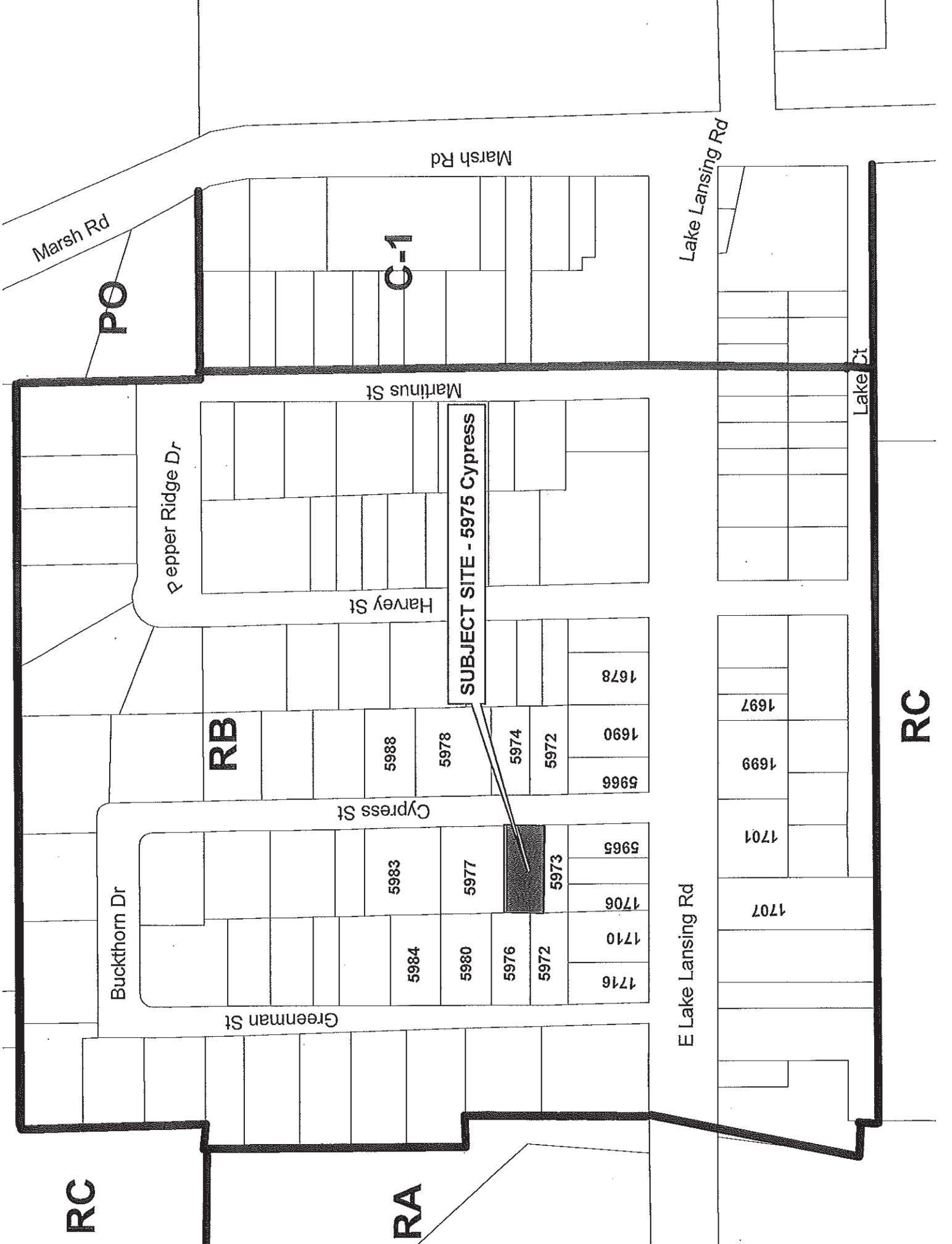
- The gravel portions of the driveway and parking area was added in 2013.
- The existing house was constructed in 1949.

- The total front yard area is 1,170 square feet. The pre-existing asphalt driveway occupied 26.7 percent of the front yard ($312/1,170$) prior to the installation of the gravel.
- The front yard area now occupied by paved or gravel surfaces = 758 square feet or $758/1170 = 64.8$ percent.

Based on the drawing submitted, the existing asphalt driveway may be located less than two feet from the side property line. The applicant was advised of the opportunity to include an additional variance in his request. No response was received by staff. Otherwise, if the existing driveway is confirmed to be less than two feet from the side property line, it will be deemed and treated as non-conforming.

Attachments

1. Site Location Map
2. Application
3. Letter and Submittals from Applicant
4. Photos of the site
5. Communications from Linda Buehler, dated February 6, 2014



Marsh Rd

PO

C-1

Marsh Rd

Lake Lansing Rd

Lake Ct

Martinus St

Pepper Ridge Dr

Harvey St

SUBJECT SITE - 5975 Cypress

RB

Cypress St

1678

1690

5966

1697

1699

1701

RC

Buckthorn Dr

E Lake Lansing Rd

Greenman St

5965

1706

1710

1716

1707

5983

5977

5973

5984

5980

5976

5972

RC

RA

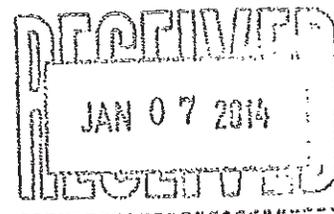
Written Statement:

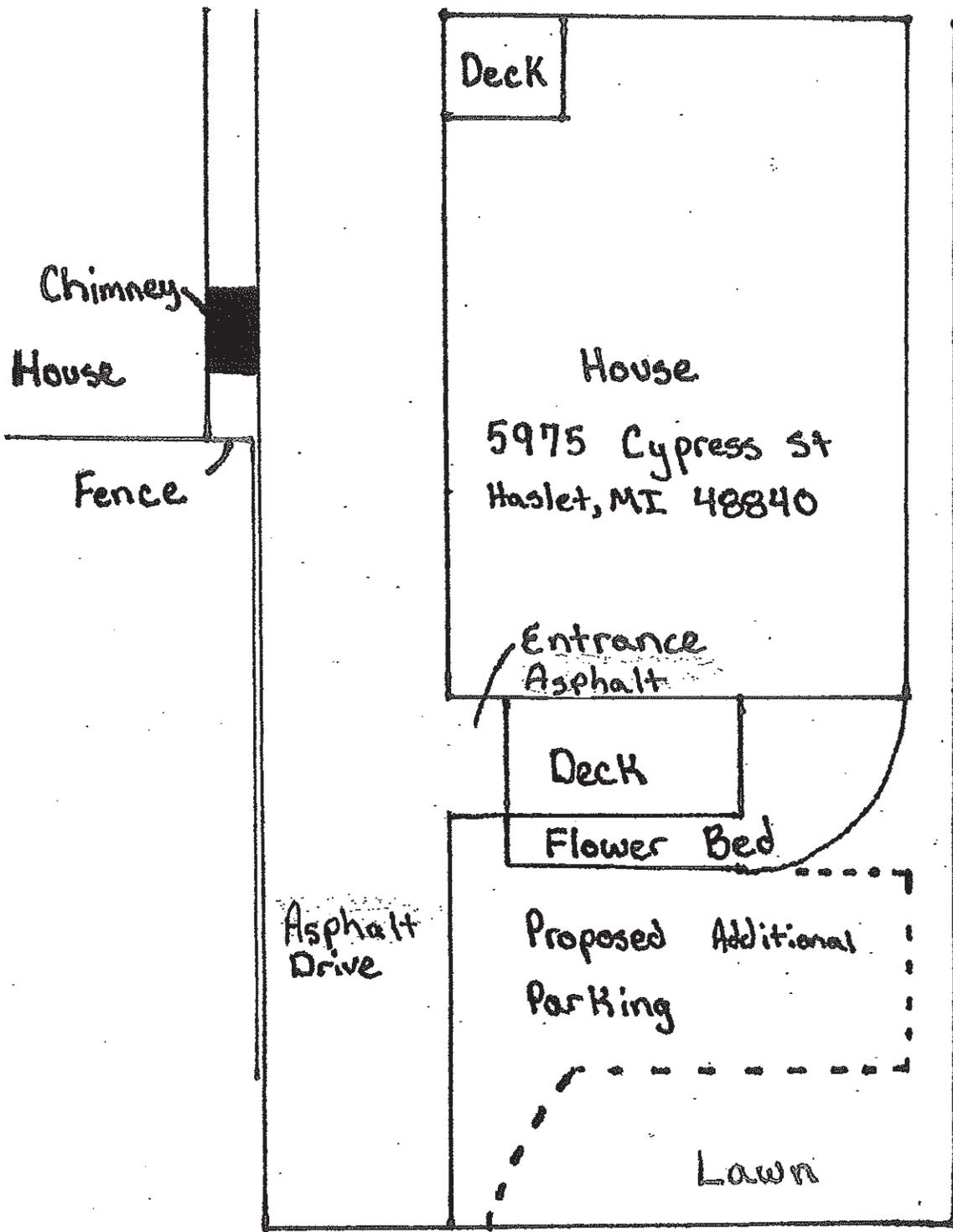
Owner of Property: Justin Spangler

Address: 5975 Cypress St. Haslett, Mi. 48840

I am requesting a zoning ordinance of my property due to a unique lack of space for parking. The lack of space is due to the width of the driveway not the length. The width of the driveway measures 120 inches. The width of my vehicle measures 97 inches only leaving 23 inches of space to open the doors. When parked directly in the middle of the drive way each door has approximately 11.5 inches of space to open. This makes it impossible for two persons to enter or exit the vehicle while parked in the driveway. We are not able to widen the driveway due to the property line at 5972 and their house and fence built to the property line.

My request is to add a parking space to the front of my house. This will give me the necessary space to park my vehicle and to allow each door to be opened for a comfortable entrance and exit of the vehicle. These unique circumstances are not self-created. I hope that with your guidance we can resolve this. This will be beneficial for not only myself but for all future owners of this property. I appreciate the opportunity for this ordinance and hope to move forward with this through the zoning board.





1" = 8' 10"
Scale

RECEIVED
JAN 07 2014
RESOLVED





