

**CHARTER TOWNSHIP OF MERIDIAN  
ZONING BOARD OF APPEALS REGULAR MEETING MINUTES  
5151 MARSH ROAD, OKEMOS, MI 48864-1198  
(517) 853-4000  
WEDNESDAY, OCTOBER 19<sup>TH</sup>, 2022  
REGULAR TELEVISED MEETING**

PRESENT: Chair Mansour, Members Deschaine, Koenig  
ABSENT: Vice-Chair Field-Foster, Member Premoe  
STAFF: Assistant Planner Chapman

**1. CALL MEETING TO ORDER**

Chair Mansour called the meeting to order at 6:34 p.m.

Chair Mansour called the roll. Vice-Chair Field Foster and Member Premoe are absent, all others present.

**2. APPROVAL OF AGENDA**

**Member Deschaine moved to approve the agenda as presented. Seconded by Member Koenig.**

ROLE CALL VOTE: YEAS: Members Koenig, Deschaine, Chair Mansour

NAYS: None

Motion carried: 3-0

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

A. July 20, 2022 Meeting Minutes

**Member Koenig moved to approve the minutes of July 20, 2022. Seconded by Member Deschaine.**

ROLE CALL VOTE: YEAS: Members Koenig, Deschaine, Chair Mansour

NAYS: None

Motion carried: 3-0

B. August 17, 2022 Meeting Minutes

**Chair Mansour noted a correction of the August 17<sup>th</sup>, 2022 Minutes where in public comment it reads, "Chair Mansour Opened Public Remarks" and "Chair Mansour Closed Public Remarks". These should read, "Vice-Chair Field-Foster Opened Public Remarks" and "Vice-Chair Field-Foster Closed Public Remarks".**

**Chair Mansour moved to approve the minutes of August 17, 2022 as amended. Seconded by Member Deschaine.**

ROLE CALL VOTE:

YEAS: Members Deschaine, Member Koenig, Chair Mansour

NAYS: None

Motion carried: 3-0

**4. COMMUNICATIONS**

- A. Bill Breckenfeld, 2191 Hamilton RE: ZBA #22-10-19-1
- B. Chris Antonides, 2211 Hamilton RE: ZBA #22-10-19-1
- C. Rui He, 2198 Hamilton RE: ZBA #22-10-19-1
- D. Gloria Thompson, 2217 Hamilton RE: ZBA #22-10-19-1
- E. Patricia Mckane, 2195 Hamilton RE: ZBA #22-10-19-1

Chair Mansour noted a communication has been received from the Indian Lakes Estates Homeowners Association in regards to ZBA CASE NO. 22-10-19-2.

**5. UNFINISHED BUSINESS-NONE**

**6. NEW BUSINESS**

- A. ZBA CASE NO. 22-10-19-1 (Schultz), Blaine Schultz, 4496 Oakwood Drive, Okemos, MI 48864**

DESCRIPTION: 2205 Hamilton Road

TAX PARCEL: 21-327-006

ZONING DISTRICT: RA (Single Family, Medium density)

The variance requested is to construct a new single-family home that does not meet the front yard setback located at 2205 Hamilton Road.

Assistant Planner Chapman outlined the case for discussion.

Applicant Blaine Schultz, 4496 Oakwood Dr., Okemos, MI 48864 further outlined the case for discussion.

Member Deschaine asked why the applicant wishes to build his home so close to the road.

Mr. Schultz replied to keep the house out of the flood plain.

Member Deschaine asked if there was any historical value to the house currently on the property.

Mr. Schultz replied there is not.

**The Zoning Board of Appeals Recessed at 6:47 pm.**

**The Zoning Board of Appeals Resumed at 6:48 pm.**

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 and these unique circumstances are not self-created.

Chair Mansour stated Criteria one has been met.

Chair Mansour read review criteria two which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties that would prevent the owner from using the property for a permitted purpose.

Chair Mansour stated criteria two has been met.

Chair Mansour read review criteria three which states Granting the variance is the minimum action necessary which would carry out the spirit of this Zoning Ordinance, secure public safety, and provide substantial justice.

Chair Mansour stated criteria three has been met.

Chair Mansour read review criteria four which states granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.

Chair Mansour stated Criteria four has been met.

Chair Mansour read review criteria five which states Granting the variance will be generally consistent with public interest and the purposes and intent of this chapter.

Chair Mansour stated criteria five has been met.

**Chair Mansour moved to grant the variance for ZBA CASE NO. 22-10-19-1 (Schultz), 2205 Hamilton Road. Seconded by Member Deschaine.**

ROLE CALL VOTE:

YEAS: Members Koenig, Deschaine, Chair Mansour

NAYS: None

Motion carried: 3-0

**The Zoning Board of Appeals Recessed at 6:56 pm.**

**The Zoning Board of Appeals Resumed at 6:58 pm.**

**B. ZBA CASE NO. 22-10-19-2 (Smith), Aaron Smith & Jessica Dietrich, 4810 Arapaho Trail, Okemos, MI 48864**

DESCRIPTION: 4810 Arapaho Trail

TAX PARCEL: 20-281-015

ZONING DISTRICT: RAA (Single Family, Low Density)

The variance requested is to construct a new deck in the floodplain located at 4810 Arapaho Trail.

Assistant Planner Chapman outlined the case for discussion. He noted that staff recommends the following conditions if the case is approved:

- Applicant completes all conditions specified in the EGLE Permit
- The deck is constructed with no connection to the residential structure
- The area below the deck may not be enclosed at any point
- The area above the deck may not be enclosed at any point

Chair Mansour asked what requirements EGLE has made of the applicant.

Assistant Planner Chapman replied there are three pages from EGLE and that EGLE will walk through the property to ensure the requirements have been met.

Chair Mansour asked about the applicant's deck being "tied to the home" per the application materials.

Applicant Aaron Smith 4810 Arapaho Trl, Okemos, MI 48864 replied he was unaware of the condition stating the deck is to be constructed with no connection to the residential structure. He stated the deck will only appear to be attached to the home, but will not be bolted on.

Assistant Planner Chapman conveyed to the applicant the biggest part of the permit, is the structure being anchored to prevent lateral movement.

Chair Mansour asked why the applicant needed to build this deck, when he already has two deck areas and a patio shown in his lot survey.

Mr. Smith replied there was previously a three season's room addition that was removed. After removal all that was left was a cement area that wasn't level and unusable. The lower patio area is not fully functional because of mosquitoes and where it is relevant to the creek.

Chair Mansour asked about the second deck area.

Mr. Smith replied he believes that is the three season's room.

Assistant Planner Chapman confirmed the area is a three season's room, and not a deck.

Chair Mansour asked if the circles on the drawing represent the pylons connected the deck to the ground.

Mr. Smith replied that is correct.

Member Deschaine asked for the dimensions of the pylons.

Mr. Smith replied they are 42 inches deep and 14 inches wide.

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 and these unique circumstances are not self-created

Chair Mansour stated Criteria one has been met.

Chair Mansour read review criteria two which states strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties that would prevent the owner from using the property for a permitted purpose.

Chair Mansour stated criteria two has been met.

Chair Mansour read review criteria three which states Granting the variance is the minimum action necessary which would carry out the spirit of this Zoning Ordinance, secure public safety, and provide substantial justice.

Chair Mansour stated criteria three has been met.

Chair Mansour read review criteria four which states granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.

Chair Mansour stated Criteria four has been met.

Chair Mansour read review criteria five which states Granting the variance will be generally consistent with public interest and the purposes and intent of this chapter.

Chair Mansour stated criteria five has been met.

Chair Mansour read criteria one from Section 86-436(r) which states No variance shall be granted for the development of new structures, the substantial improvement or relocation of old structures, or development of any kind within the floodway area when such development, construction, improvement, or relocation would cause any increase in flood levels associated with the base flood elevation.

Chair Mansour stated this criteria has been met.

Chair Mansour read criteria two from Section 86-436(r) which states:

- a) A sufficient cause for granting the variance must be shown.
- b) A determination that failure to grant the variance would result in a practical difficulty to the applicant.
- c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense or will not create nuisances, cause fraud on or victimization of the public or conflict with this chapter.
- d) A determination that the variance is the minimum necessary to afford relief.

Chair Mansour stated these criteria have all been met.

**Chair Mansour moved to approve variance ZBA CASE NO. 22-10-19-2 (Smith), 4810 Arapaho Trail, Okemos, MI 48864 with the understanding the applicant will meet all EGLE and Township Engineer conditions. Seconded by Member Deschaine.**

ROLE CALL VOTE:

YEAS: Members Koenig, Deschaine, Chair Mansour

NAYS: None

Motion carried: 3-0

**7. OTHER BUSINESS -NONE**

**8. PUBLIC REMARKS**

Chair Mansour opened the floor for public remarks at 7:24 pm.

NONE

Chair Mansour closed public remarks at 7:24 pm.

**9. BOARD MEMBER COMMENTS-NONE**

**10. ADJOURNMENT**

**Member Deschaine moved to Adjourn. Seconded by Member Koenig.**

**The Zoning Board of Appeals Adjourned at 7:24 pm.**