



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING
August 25, 2021 6:30 pm

1. CALL MEETING TO ORDER
2. APPROVAL OF THE AGENDA
3. CORRECTIONS, APPROVAL AND RATIFICATION OF MINUTES
 - A. Wednesday, August 11, 2021
4. COMMUNICATIONS
5. UNFINISHED BUSINESS
6. NEW BUSINESS

A. ZBA CASE NO. 21-08-25-1 (5680 Marsh LLC), 5680 Marsh Road, Haslett, MI, 48840

DESCRIPTION:	5680 Marsh Road
TAX PARCEL:	10-426-011
ZONING DISTRICT:	PO (Professional Office)

The variance requested is to construct a 25 square foot freestanding sign.

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

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

Individuals with disabilities requiring auxiliary aids or services should contact the Meridian Township Board by contacting:
Assistant Planner Keith Chapman, 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 11, 2021
REGULAR TELEVISED MEETING**

PRESENT: Chairperson Mansour, Members Shorkey, Opsommer, Kulhanek

ABSENT: Vice-Chair Field-Foster, Hendrickson

STAFF: Community Planning and Development Director Schmitt; Assistant Planner Chapman

1. CALL MEETING TO ORDER

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

2. APPROVAL OF AGENDA

Member Opsommer moved to approve the agenda as submitted. Seconded by Member Kulhanek.

ROLE CALL TO VOTE:

YEAS: Members Shorkey, Kulhanek, Opsommer, Chairperson Mansour

NAYS: None

Motion carried: 4-0

3. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

A. June 23, 2021 Meeting Minutes

Member Opsommer moved to approve the minutes from Wednesday, June 23, 2021 as submitted. Seconded by Chairperson Mansour.

ROLE CALL TO VOTE:

YEAS: Member Shorkey, Kulhanek, Opsommer, Chair Mansour

NAYS: None

Motion carried: 4-0

4. COMMUNICATIONS - NONE

5. UNFINISHED BUSINESS

A. ZBA CASE NO. 21-06-23-1 (EROP, LLC), 2390 E. Federal Drive, Decatur, IL, 62526

DESCRIPTION: 2703 Grand River Avenue
TAX PARCEL: 20-203-012
ZONING DISTRICT: C-2 (Commercial)

The variances requested is to construct a drive through car wash facility. This is a revised request.

Assistant Planner Chapman outlined the case for discussion. He explained the applicant had postponed their request during the last meeting and has revised their plans since June 23rd, 2021.

Representing the applicant, Reid Cooksey, resident of 607 Shelby Street, Detroit, Michigan stated the applicant has been allowed to open an entrance on East Grand River after closing the western entrance. This allowed them to change the site plan since the last meeting. The new curb cut has already been approved by MDOT, although it does not meet criteria in Meridian Township Ordinance.

Member Kulhanek noted the changes made to the site plan reflected Member Hendrickson's suggestion and as a result the variances requested have all changed and are related to the new East Grand River driveway.

Member Opsommer asked Assistant Planner Chapman when the provisions in the code of ordinances that is causing the variances to be required went into effect. Chapman replied 2004.

Member Opsommer asked if township staff or applicant had updated traffic studies pertaining to this site. Township staff answered no. The applicant answered no, but the maximum possible trips per hour is 50.

Member Shorkey asked applicant and staff if there is a way to add an entrance on Grand River without variance. Assistant Planner Chapman replied that on this property there is not.

Chairperson 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. Chairperson Mansour stated this criteria had been met.

Chairperson Mansour read review criteria two which states these special circumstances are not self-created. Chair Mansour stated this criteria could go either way.

Member Opsommer stated that he did not believe the circumstance is self-created because of curb cuts made on East Grand River before the township ordinance was adopted. Chairperson Mansour stated criteria two had been met.

Chairperson 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. Chairperson Mansour stated this parcel would always require a variance to have an entrance on Grand River. She stated Criteria three had been met.

Chairperson 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. Chairperson Mansour stated that criteria four had been met.

Member Shorkey stated this being the third iteration and each requiring a variance that he is comfortable moving forward with both criteria three and four.

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

Member Shorkey asked if the applicant could shift the entrance west on Grand River to line up the driveway with parking.

The applicant replied no, that MDOT wouldn't allow it and that it would create an entrance closer to Dawn Ave creating a worse safety hazard.

Chairperson Mansour stated that she does believe this to be the minimum action the applicant could take, meeting criteria five.

Chairperson 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. Chairperson Mansour stated criteria six had been met.

Chairperson 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. Chairperson Mansour stated this criteria had been met.

Chairperson 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. Chairperson Mansour stated this criteria had been met.

Member Kulhanek moved to approve all three variances in ZBA CASE NO. 21-06-23-1 (EROP, LLC), 2703 East Grand River Avenue, East Lansing, MI 48823 TAX PARCEL: 20-203-012. Seconded by Member Shorkey.

Member Kulhanek moved to add "with the condition the site plan show dedicated access easement to the property to the east" as a friendly amendment to the original motion. Seconded by Member Shorkey.

Member Kulhanek moved to approve all three variances in ZBA CASE NO. 21-06-23-1 (EROP, LLC), 2703 East Grand River Avenue, East Lansing, MI 48823 TAX PARCEL: 20-203-012, with the condition the site plan show dedicated access easement to the property to the east. Seconded by Member Shorkey.

ROLE CALL TO VOTE:

YEAS: Members Shorkey, Kulhanek, Opsommer, Chairperson Mansour

NAYS: None

Motion carried: 4-0

6. NEW BUSINESS

A. ZBA CASE NO. 21-08-11-1 (Sina), 5786 Lake Drive, Haslett, MI, 48840

DESCRIPTION: 5786 Lake Drive

TAX PARCEL: 10-278-026

ZONING DISTRICT: RN (Village of Nemoka), Lake Lansing Overlay District

The variance requested is to construct a 400 square foot addition on the south side of the existing single-family home.

Assistant Planner Chapman outlined the case for discussion.

Applicant Reddog Sina, resident of 5786 Lake Drive, Haslett, Michigan outlined why he is requesting a variance.

Chairperson Mansour asked why the applicant isn't building towards the back of the property. The applicant replied that it would lead to construction complications.

Assistant Planner Chapman stated if they build the addition in the back it would still require a variance.

Chairperson 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. Chairperson Mansour stated criteria one has been met.

Chairperson Mansour read review criteria two which states these special circumstances are not self-created. Chairperson Mansour stated criteria two has been met.

Chairperson 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. Chairperson Mansour stated this criteria had been met.

Chairperson 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. Chairperson Mansour stated criteria four had been met.

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

Chairperson 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. Chairperson Mansour stated criteria six had been met.

Chairperson 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. Chairperson Mansour stated criteria seven had been met.

Chairperson 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. Chairperson Mansour stated criteria eight had been met.

Member Opsommer moved to approve variance request for ZBA CASE NO. 21-08-11-1 (Sina), 5786 Lake Drive, Haslett, MI, 48840 parcel ID 10-278-026. Seconded by Chairperson Mansour.

ROLE CALL TO VOTE:

YEAS: Members Shorkey, Kulhanek, Opsommer, Chair Mansour

NAYS: None

Motion carried: 4-0

7. OTHER BUSINESS

None

8. PUBLIC REMARKS

Chairperson Mansour opened the floor for public remarks at 7:48 pm

None

Chairperson Mansour closed public remarks at 7:48 pm

9. MEMBER COMMENTS

Member Shorkey stated that it was nice to meet the ZBA board members and that meeting in person has been much smoother than virtual meetings.

10. ADJOURNMENT

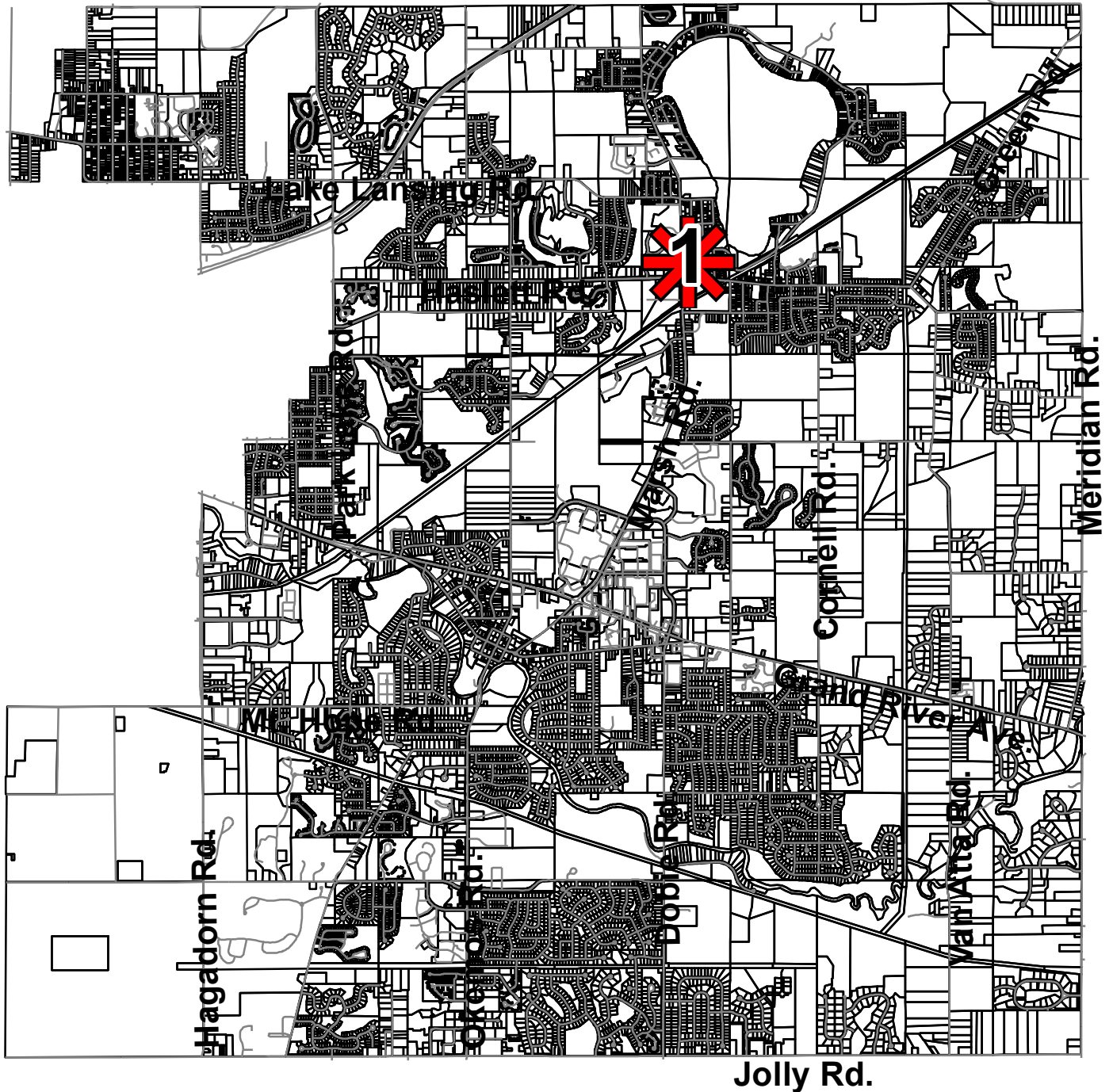
Chairperson Mansour Adjourned the meeting at 7:50 pm.

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 #21-08-25-1 (5680 Marsh LLC)





To: Zoning Board of Appeals
From: Keith Chapman, Assistant Planner
Date: August 20, 2021
Re: ZBA Case No. 21-08-25-1 (5680 Marsh LLC)

ZBA CASE NO.: 21-08-25-1 (5680 Marsh LLC), 5680 Marsh Road, MI 48848
DESCRIPTION: 5680 Marsh Road
TAX PARCEL: 10-426-011
ZONING DISTRICT: PO (Professional Office)

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

- Section 86-686(3)(d), The freestanding sign shall not be located within 20 feet of the intersection of the access drive and the street right-of-way line.

The applicant is requesting to install a 25 square foot, 6-foot-tall freestanding sign at 5680 Marsh Road. The approximately 0.3-acre parcel is zoned PO (Professional Office).

On the site is an existing 2,884 square foot office building built in 1985. There are two tenants in the building, Eastside Tax and Accounting and State Farm. The applicant intends to replace a freestanding sign that was destroyed by an accident earlier this year. The new sign will be exclusively for State Farm. At this time there is no address shown on the proposed sign. Per our Ordinances, three square feet will need to be added for the address.

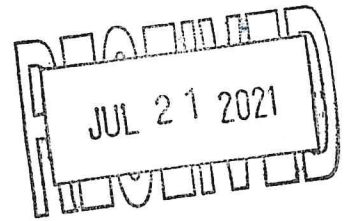
Section 86-686(3)(d) states the freestanding sign shall not be located within 20 feet of the intersection of the access drive and the street right-of-way line. The applicant is requesting to install the freestanding sign approximately 5 feet from the intersection of the access drive and the street right-of-way. Therefore a 15-foot variance is requested.

Attachments

1. Application materials
2. Site location map

G:\COMMUN PLNG & DEV\PLNG\ZBA\2021 ZBA\ZBA 21-08-25-1\ZBA 21-08-25-1 (5680 Marsh LLC)\STAFF REPORT

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



VARIANCE APPLICATION

- A. Applicant 5680 MARSH LLC
Address of Applicant 5680 MARSH RD
HASLETT MI 48840
Telephone (Work) 517 336 0151 Telephone (Home) _____
Fax _____ Email address: _____
Interest in property (circle one): ☐ Owner ☐ Tenant ☐ Option ☐ Other
- B. Site address/location SAME
Zoning district _____ Parcel number 37 D20210 426 011
- 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) SEE REVIEW CRITERIA STATEMENT

Thomas D. Johnson
Signature of Applicant

Thomas D. Johnson
Print Name

7/21/2021
Date

Fee: \$1300.00

Received by/Date: [Signature] 7/21/21

I (we) hereby grant permission for members of the Charter Township of Meridian Zoning Board of Appeals, Township staff members and the Township's representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the purposes of gathering information including but not limited to the taking and the use of photographs. (Note to Applicant(s): **This is optional and will not affect any decision on your application.**)

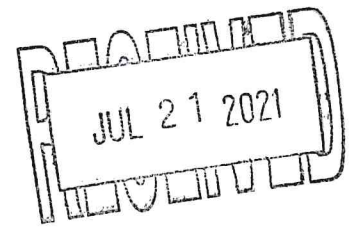
Thomas D. Johnson
Signature of Applicant(s)

7/21/2021
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. *SET BACK CRITERIA would place sign in the middle of the parking lot*
 2. These special circumstances are not self-created. *TRUE*
 3. Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties. *TRUE - SEE NUMBER 1 ABOVE*
 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. *TRUE - signage is integral to the property's BUSINESS OPERATIONS*
 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. *TRUE*
 6. Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property. *TRUE*
 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. *TRUE*
 8. Granting the variance will be generally consistent with public interest and the purposes and intent of this Chapter. *TRUE - MERELY WANT TO REPLACE A sign that was destroyed in AUTO ACCIDENT. Sign had been there for many years WITHOUT Adverse consequences. TRAFFIC sight distance is not impacted by the placement of the sign.*
- 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.

PB21-0536

PLOT PLAN

For:
Tom Johnson
2111-C Haslett Road
Haslett, MI 48840

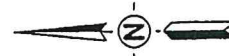
Survey Address:
5680 Marsh Road
Haslett, MI 48840
ID: 33-02-02-10-426-011

Legal Description (as provided): Lot 18 and the South 1/2 of Lot 15, Block 12, Village of Nemoka, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 28, Ingham County Records.

NOTES:

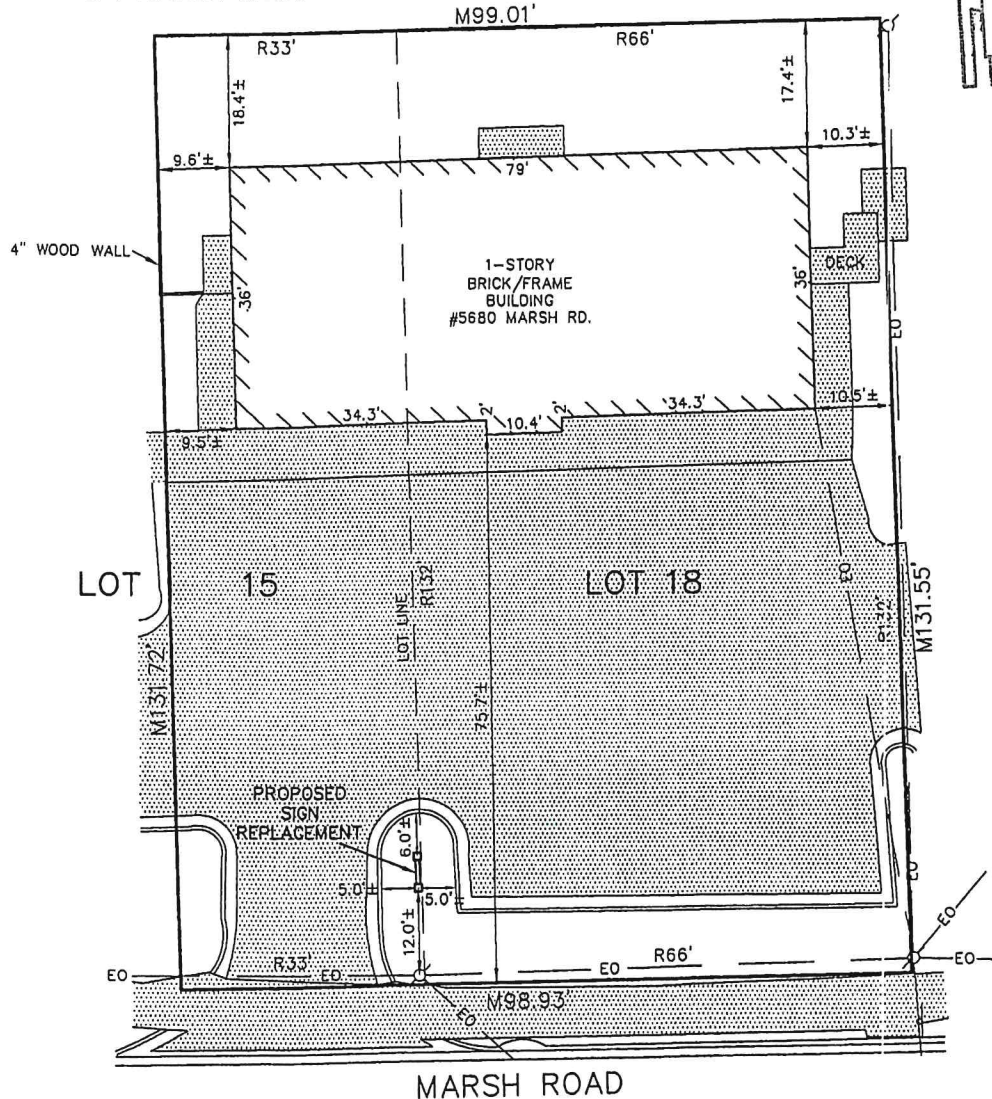
1. A LOT SURVEY IS REQUIRED FOR THE EXACT LOCATION OF FENCE AND PROPERTY LINES. MEASURED DIMENSIONS SHOWN ARE FROM KEBS, INC. LOT SURVEY JOB NO. 91919.LOT DATED 05-04-17 AND WERE NOT FIELD VERIFIED AT THIS TIME.

2. EASEMENTS, IF ANY, NOT SHOWN.



1" = 20'

JUL 21 2021



This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

- R = Recorded Dimension
- = Deed Line
- = Distance Not to Scale
- ▨ = Deck, Porch, Sidewalk, & Patio Areas
- EO— = Overhead Wires
- ⊙ = Utility Pole


DANE B. PASCOE
PROFESSIONAL SURVEYOR

7/16/21
DATE
No. 54434

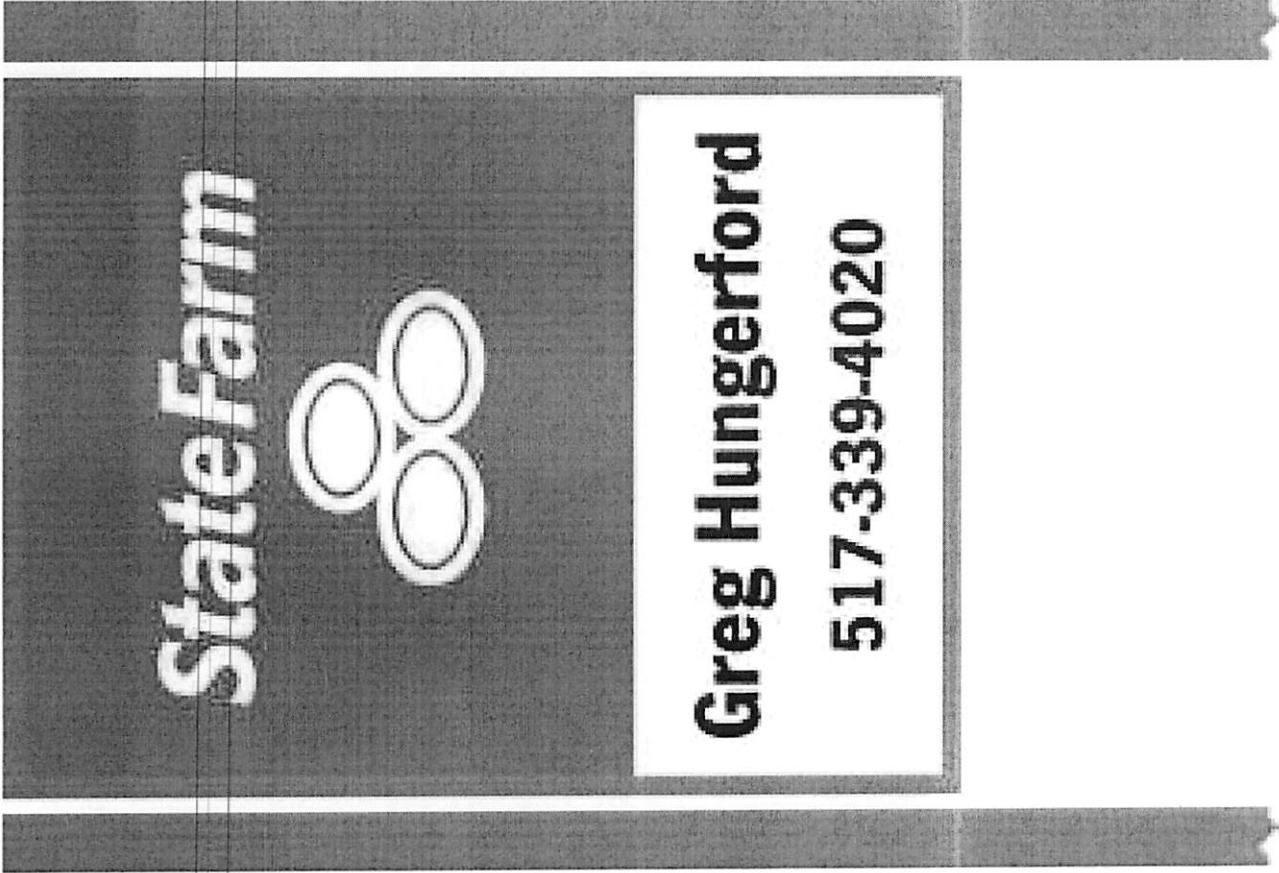


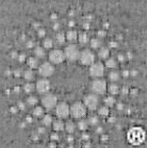
KEBS, INC. KYES ENGINEERING
BRYAN LAND SURVEYS

2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269-781-9800 FAX. 269-781-9805

DRAWN BY	SLH	SECTION	10, T4N, R1W
FIELD WORK BY	AE	JOB NUMBER:	98526.PLT
SHEET	1 OF 1		





Everbrite

QUOTE 268403
Quoted Date: 04/15/21

Page: 1

To: STATE FARM MUTUAL AUTO INS COMPANY
AGENT SIGNAGE PROGRAM
HOME MKTG-AGENTSIGNPROGRAM

home.mktg-agentsignprogram.169o13@statefarm.com

State Agent Code 22-7352

PO# DAMAGED

Site Id: SF93386-1

Location: STATE FARM GREG HUNGERFORD

Address: 5680 MARSH RD

SUITE A

HASLETT, MI 48840-7614

Contact: Greg Hungerford

Note: If you select sign product to be shipped to your installer, you are solely responsible for confirming that the quoted product will fit the designated location, permits are obtained, landlord requirements are met, and that the sign meets local code requirements.

In addition, if sign product arrives with visible damage, the consignee must refuse the damaged portion of signage shipment, noting damage on delivery receipt, and having the driver & consignee take pictures of damaged product.

Qty	Item #	Description	Price	Amount
1	6096	SURVEY	\$425.00	\$425.00
1	6205	PERMIT FEE (ESTIMATED, BILLED AT COST)	\$150.00	\$150.00
1	6201	PERMIT STAFF TIME (ESTIMATED)	\$350.00	\$350.00
1	6204	PROJECT MANAGEMENT SERVICES	\$700.00	\$700.00
1	6102	STAMPED ENGINEERING If required for use in permitting.	\$375.00	\$375.00
1	E003987P	4'X3' NON-ILLUM., DOUBLE-SIDED, BETWEENPOLE MNT S IGN. VARIABLE BLACK COPY. P8 Install approx. 4'x3', aluminum, post and panels sign at 6' overall height. Direct bury. Caisson footings. For Budgetary use only.	\$1,097.21	\$1,097.21
1	PP448014B	POST,SF (10')X(4') P&P S/2	\$920.00	\$920.00

NOTES:

The above pricing is based on standard sign construction to withstand winds of 35 psf (approx. 90 mph @ 40'OAH). Signs being shipped to certain areas, including coastal areas, will require structural modification to withstand higher wind loads based on local code requirements and need to be quoted separately.

More than (2) design rendering changes will be charged at \$95.00 per piece and will be eligible for the subsidy.

Subtotal:	\$4,017.21
Eligible Installation:	\$2,842.09
Ineligible Installation:	\$0.00
Estimated Freight:	\$500.00
Sales Tax:	\$0.00
Project total:	\$7,359.30

