

124 West Allegan Street, Suite 1000
Lansing, Michigan 48933
T (517) 482-5800 F (517) 482-0887
www.fraserlawfirm.com

Douglas J. Austin	Marlaine C. Teahan	Mary P. Levine	Retired
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H. Kirby Albright	Jonathan T. Walton, Jr.	OF COUNSEL	Everett R. Trebilcock (1918-2002)
Graham K. Crabtree	Laura S. Faussié	Stephen L. Burlingame	James R. Davis (1918-2006)
Michael P. Donnelly	Norbert T. Madison, Jr.	Mark A. Bush	Ronald R. Pentecost (1932-2008)
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kalbright@fraserlawfirm.com
(517) 267-0538

Via Hand Delivery

January 3, 2022

Planning, Building and Development
City of East Lansing
Attention: Peter Menser
410 Abbot Road
East Lansing, MI 48823

Re: Revised Application for Variance – Request for Reconsideration
1394 Foxcroft Rd., East Lansing, MI 48823
Owner: James and Christine White

Dear Mr. Menser:

Please take note our office is assisting the Owners of the above-referenced property to seek a variance relative to maximum ground coverage ratio mentioned in Section 50-301 of the East Lansing Zoning Ordinance.

To seek the variance, please find enclosed five copies of:

1) The revised executed Zoning Variance Application supported by:

Exhibit A – Revised Plot Plan(s) (containing all ground coverage items)

Exhibit B – A Plan from Clearwater Pools showing details of the pool area plan

Exhibit C – A Landscape Plan from Turf Jockey that depicts the pool area, the patio area and contains the ground coverage calculations for the site

2) A check payable to the City of East Lansing for \$300.00

On behalf of the Owner, we request to be placed on the Agenda for the February 2, 2022

meeting.

RECEIVED

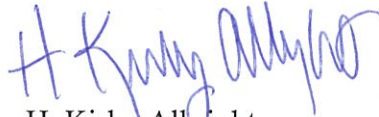
By Rebecca Urdiales at 3:27 pm, Jan 03, 2022

Mr. Peter Menser
City of East Lansing
January 3, 2022
Page 2

If there are any questions concerning the enclosed Application, please feel free to contact me.

Very truly yours,

Fraser Trebilcock Davis & Dunlap, P.C.



H. Kirby Albright

HKA/mls
cc: Clients
Enclosures:
Application
Exhibits A, B, C
\$300 check

**CITY OF EAST LANSING
ZONING VARIANCE APPLICATION**

PROPERTY ADDRESS: 1394 Foxcroft Rd., East Lansing, MI 48823

PARCEL ID NO(S): 33-20-02-07-219-016

PROPERTY OWNER: James ("Jamie") & Christine White
(Or its legal representative)

Mailing Address: 1394 Foxcroft Rd., East Lansing, MI 48823

E-mail Address: jameswhite@whitelawpllc.com & christinewhite@whitelawpllc.com

Office/Cell/Fax Numbers: (517) 316-1195

APPLICANT: H. Kirby Albright, Attorney at Law
(If not property owner)

Mailing Address: 124 W. Allegan Street, Suite 1000, Lansing, MI 48933

E-mail Address: Kalbright@fraserlawfirm.com

Office/Cell/Fax Numbers: Office (517)267-0538 Cell (517) 290-3288

LEGAL STANDING: Attorney for Owner
(If non-owner applicant)

PROPOSED ACTION(S): As part of a new build of a residence, Owner seeks to install a patio, pool,
(Describe proposed improvements) and pool deck area. Owners have obtained revised Plat Plan(s) showing
all of the improvements and given that the City did issue a permit for installation of both the residence
and the pool, Owners seek reconsideration because changed conditions warrant such reconsideration.

VARIANCE REQUESTED: Chapter 50 - Section: _____ (Staff)
(i.e. setback, coverage, etc.)

RATIONALE FOR VARIANCE: In order to grant a variance, the Zoning Board must find that the application meets several required **Variance Conditions** and one of three **Special Findings**, as specified in **Section 50-64** of the Zoning Code. Please read Section 50-64 (attached) and describe below how your application would satisfy one or more of the **Special Findings**.

It is noted that the plans for the residence and for the pool area were submitted separately by the Owner's builder. Both plans were approved. It has been brought to the attention of the Owner (builder is no longer involved at site) that there is a ground coverage issue and there are partially constructed items, on site. Owners have prepared a revised Plot Plan that would permit the partially constructed items to

**Continued on attached page

[Continued on next page]

**CITY OF EAST LANSING
ZONING VARIANCE APPLICATION (ATTACHMENT)**

RATIONALE FOR VARIANCE – CONTINUED:

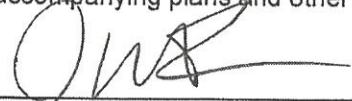
remain on site and allow for the pool and patio to be completed but have removed the proposed horseshoe driveway. Owners do seek reconsideration of the prior request but also submit this revised proposal for reconsideration. Owner asserts that this request meets the Special Findings requirements because since both the residence plan and pool plan were previously approved, construction of the residence and the pool area moved forward based upon those approvals and, therefore, there are now practical difficulties or unnecessary hardships resulting from the physical characteristics of the property, as partially constructed, which make it unfeasible to carry out the strict letter of this Chapter. Further, Owners have obtained a revised Plot Plan that provides updated/accurate information as to ground coverage related items, inclusive of a revised variance request that would permit completion of the construction of the pool and patio area but would eliminate the horseshoe driveway.

Further, there are exceptional circumstances or conditions which apply to the property, because both the plans for the residence and plans for the pool were approved and partial construction undertaken, without any fault by the Owner.

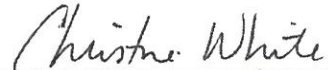
I (we) hereby grant permission for members of the East Lansing Zoning Board of Appeals, its staff and its consultants the right to enter onto the property described in this application in my (our) absence for the purpose of gathering information, including but not limited to the taking and use of photographs.

Please check one: Yes No

By the signature(s) below, I (we) certify that the information provided in this application, including the accompanying plans and other documentation is, to the best of my (our) knowledge, true and accurate.


Owner (mandatory)

1/3/22
Date


Applicant
H. J. ... , Esq

1.3.22.
Date
1/3/22

INSTRUCTIONS:

1. Complete all sections of the application; add additional sheets or information as needed. The current property owner must sign the application.
2. A non-refundable filing fee, payable to the City of East Lansing, must be paid at time of filing an application.
3. At a minimum you must provide a survey, plot plan or accurate site plan for all specific variances from such dimensional requirements as lot area and width regulations, building height, bulk regulations, yard width, side and depth regulations and off-street parking and loading requirements. Other information, such as pictures and building plans, may be useful.
4. All applications must be received by the Department of Planning & Community Development four weeks prior (see schedule) to the date of the Zoning Board's meeting, to be placed on the Board's agenda.
5. It is essential to appear at the hearing in person or to be represented by a duly authorized agent.

SUBMIT TO: Department of Planning, Building and Development
East Lansing City Hall, Room 217, 410 Abbot Road, East Lansing, MI 48823
Phone: (517) 319-6941 Fax: (517) 337-1607 E-mail: dschmitt@cityofeastlansing.com

For Office Use:

DATE RECEIVED: _____ ZBA HEARING: _____

MATERIALS SUBMITTED _____ Site Plan/Survey _____ Building Plan(s) _____ Written Information
Other _____

Check No: _____ Date: _____ By: _____

Wetland: Y N Flood Plain: Y N Historic District: Y N DDA Area: Y N

Note: If the application involves property which falls within any of the above designated special areas, review by one or more other City boards or commissions will likely be required and may affect the overall review schedule.

Exhibit A

Plot Plan(s)

PLOT PLAN

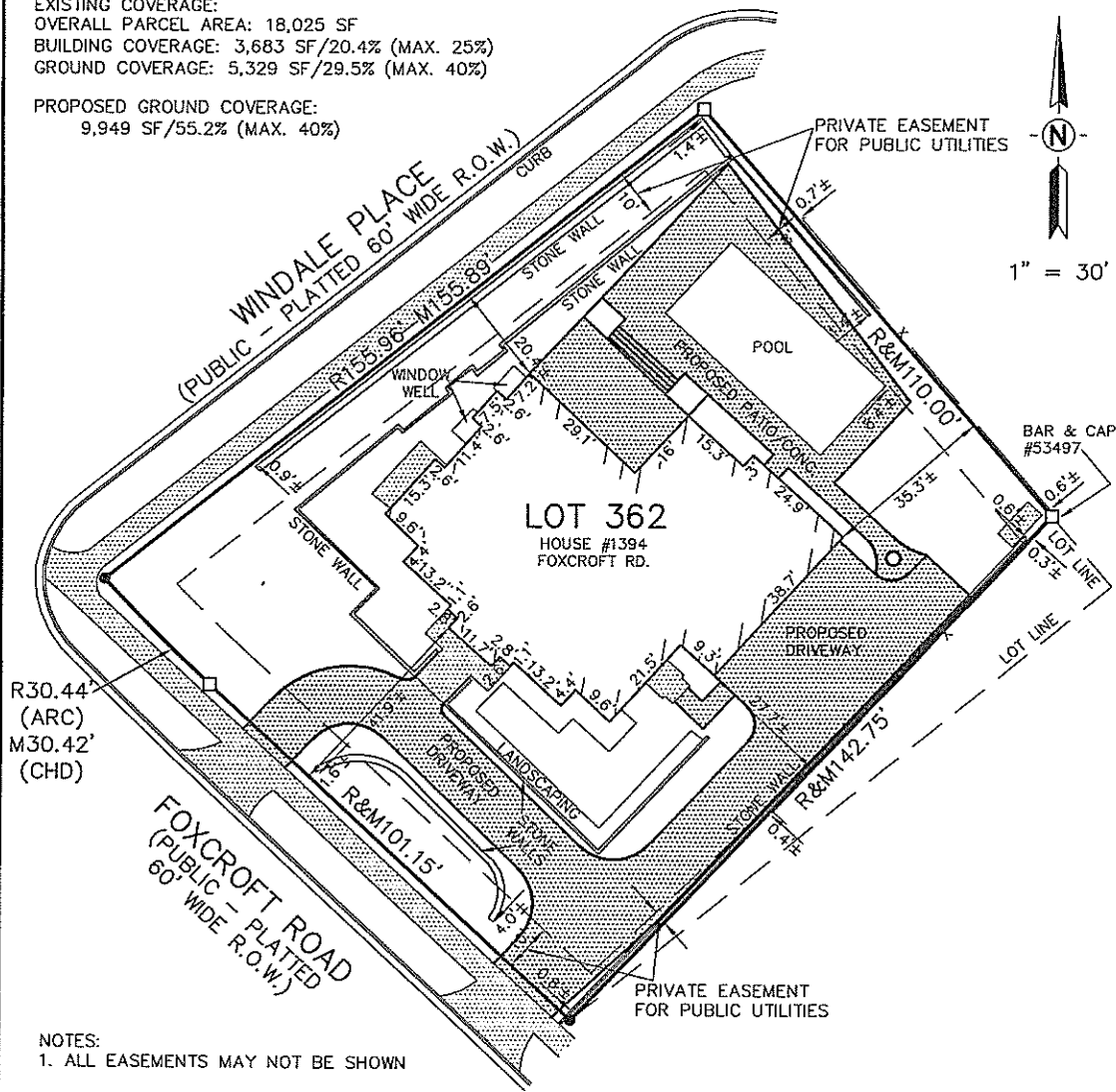
For:
Christine White
1394 Foxcroft Road
East Lansing, MI 48823

Survey Address:
1394 Foxcroft Road
East Lansing, MI 48823
Tax ID: 33-20-02-07-219-016

Legal Description (as provided): A part of Lot 362, Plat of Whitehills Estates No. 12, as recorded in Liber 38 of Plats, Pages 13 and 14, Ingham County Records, described as beginning at the most Northerly corner of Lot 362; thence South 40°27'32" East 110 feet along the Northeasterly line of said Lot 362; thence South 43°37'07" West 142.79 feet to the Southwesterly line of Lot 362; thence North 47°01'54" West 101.15 along said Southwesterly line; thence Northwesterly 30.44 feet along the arc of a 400 foot radius curve to the right whose chord bears North 44°51'06" West 30.43 feet to the most Westerly corner of Lot 362; thence North 51°37'46" East 155.96 feet to the point of beginning.

EXISTING COVERAGE:
OVERALL PARCEL AREA: 18,025 SF
BUILDING COVERAGE: 3,683 SF/20.4% (MAX. 25%)
GROUND COVERAGE: 5,329 SF/29.5% (MAX. 40%)

PROPOSED GROUND COVERAGE:
9,949 SF/55.2% (MAX. 40%)



NOTES:
1. ALL EASEMENTS MAY NOT BE SHOWN

I hereby certify only to the parties hereon that we have surveyed, at the direction of said parties, the above described lot, and that we have found or set, as noted hereon, permanent markers to all corners of said lot and that all visible encroachments of a permanent nature upon said lot are as shown on this survey. Said lot subject to all easements and restrictions of record.

- R = Recorded Distance
- M = Measured Distance
- = Distance Not to Scale
- = Deed Line
- = Set 1/2" Bar with Cap
- = Found Plat Monument Unless Noted
- ▨ = Concrete, Asphalt, Deck, and Porch
- * = Fence
- 0.0'± = Denotes Distance to the Survey Line

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

ERICK R. FRIESTROM DATE
PROFESSIONAL SURVEYOR NO. 53497

DRAWN BY AN	SECTION 7, T4N, R2W
FIELD WORK BY AE	JOB NUMBER:
SHEET 1 OF 1	99262.PLT-1

PLOT PLAN

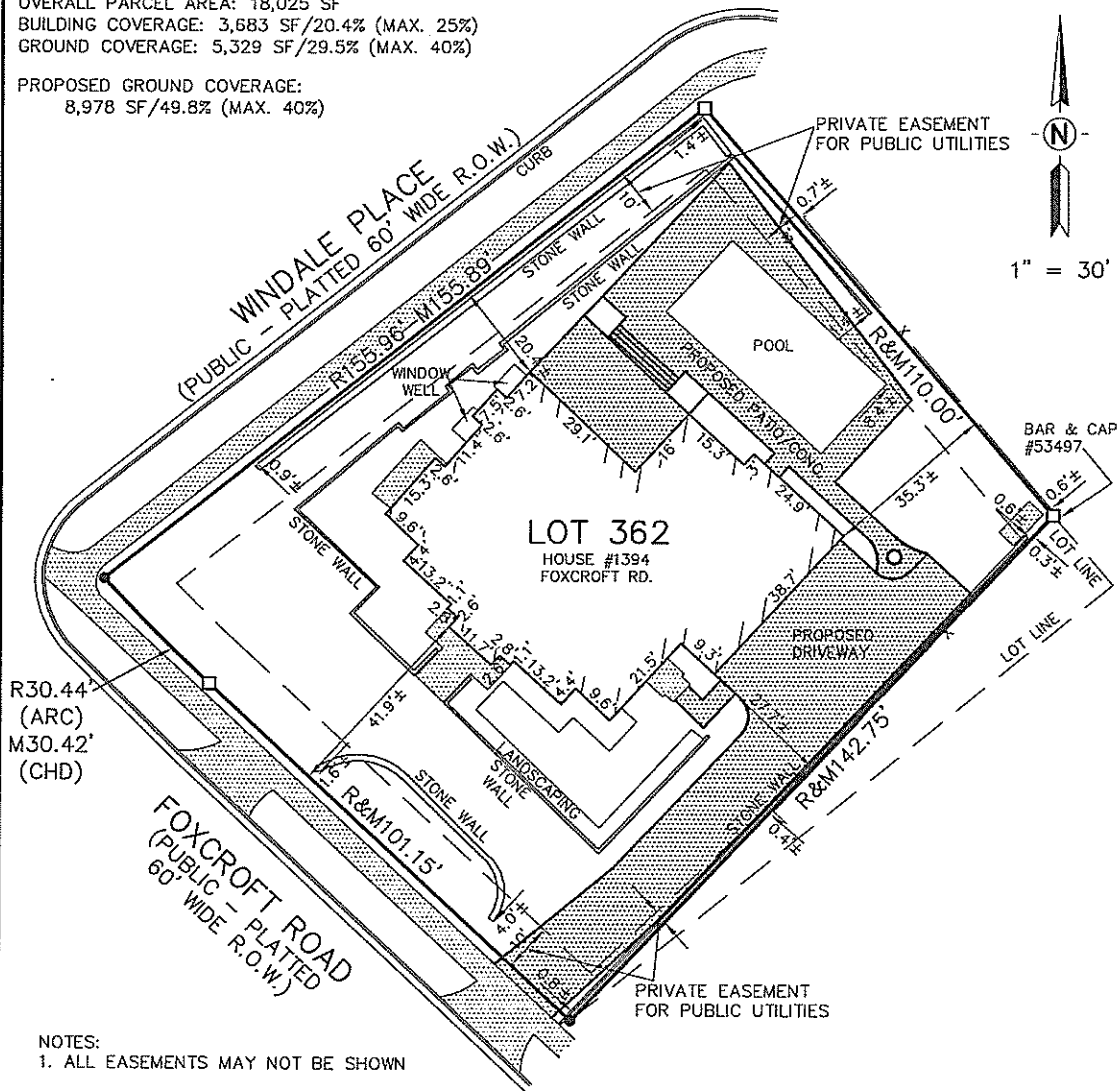
For:
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BUILDING COVERAGE: 3,683 SF/20.4% (MAX. 25%)
GROUND COVERAGE: 5,329 SF/29.5% (MAX. 40%)

PROPOSED GROUND COVERAGE:
8,978 SF/49.8% (MAX. 40%)



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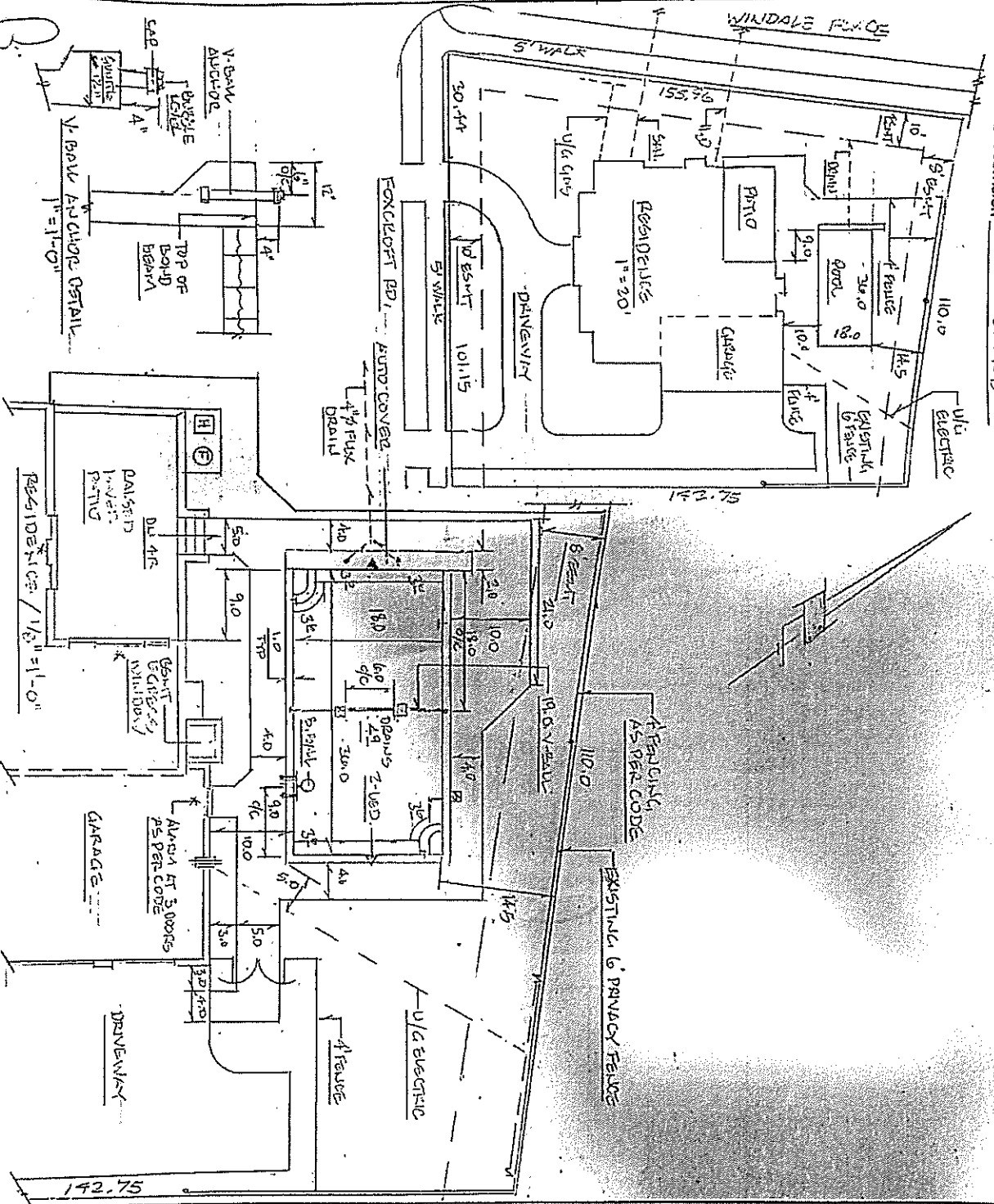
DRAWN BY	AN	SECTION	7, T4N, R2W
FIELD WORK BY	AE	JOB NUMBER:	99262.PLT-2
SHEET	1 OF 1		

ERICK R. FRIESTROM DATE
PROFESSIONAL SURVEYOR NO. 53497

Exhibit B

Plan from Clearwater
Pools - Pool Area Plans

LOT NO. 142
 PART OF SUBDIVISION WHITEHILLS ESTATE #12



Cleanwater Pools
 AND SERVICE OF ANN ARBOR

7100 Jackson Road
 Ann Arbor, MI 48103
 734-669-8990
 FAX: 734-669-8991

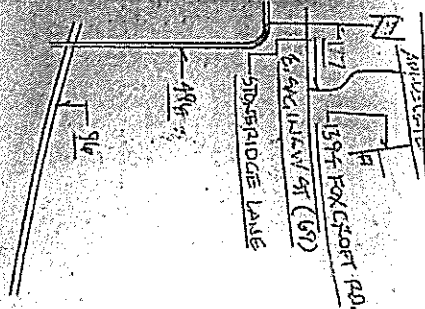
CUSTOMER

James & Christine White
 1294 Foxcroft Road
 East Lansing, MI 48823

PHONE

517-410-2340

LOCATION



CONSTRUCTION NOTES

- SIZE IS 3/4" = 1' 0" 646
 - SHAPE IS RECTANGULAR
 - DEPTH IS 4" GALS
 - TILE CHANGES COPING STONE
 - HEATER BRIGGS 2400 GALS
 - FILTER PENSTAR TR-100 G
 - PUMP PENSTAR HP 1/2
 - SWIMMER INLETS 4
 - LAUNDER HOT REQUIRED
 - BOARD
 - STAND 2x4
 - LIGHT 2x4
 - TEST KIT
 - BRUSH VAC CLEANER
 - POLE HANDSKIMMER
 - POLE LIFELINE
 - GET LATESS-PAVOCOVER
 - GET SPARTAN PAVOCOVER
 - GET 4x8x10 VAC ACCESSORIES
 - SPA
 - POOL SWEEP
 - FILLPOUT BECOME LINED
 - HANDRAIL
 - SEAT 32" UP ON 12" GALS
 - SLIDE
 - CHLORINATOR PLASTIC 4x4x1
 - CONCRETE
 - ADDITIONAL FOOTINGS
 - STEP FACING
 - RETAINING WALLS OR OTHERS
- SITE PREPARATION LAUNDERAGE TO CONCRETE PATI WALLS IS LEAVE GRADE BEFORE TO LAYOUT

SALESMAN:

DATE:

JOB NO.:

Exhibit C

Landscape Plans from
Turf Jockey - depicts
ground coverage
calculations as to site

TOTAL AREAL: 18,025 sq ft

GROUND COVERAGE

ALREADY APPROVED:

- BUILDING COVERABLE AREAL @ 7,679 sq ft (20.4%)
- SWIMMING POOL: 9,440 sq ft
- DECKWAY: 3,230 sq ft

TOTAL GROUND COVERAGE: 7,679 sq ft (21.6%)

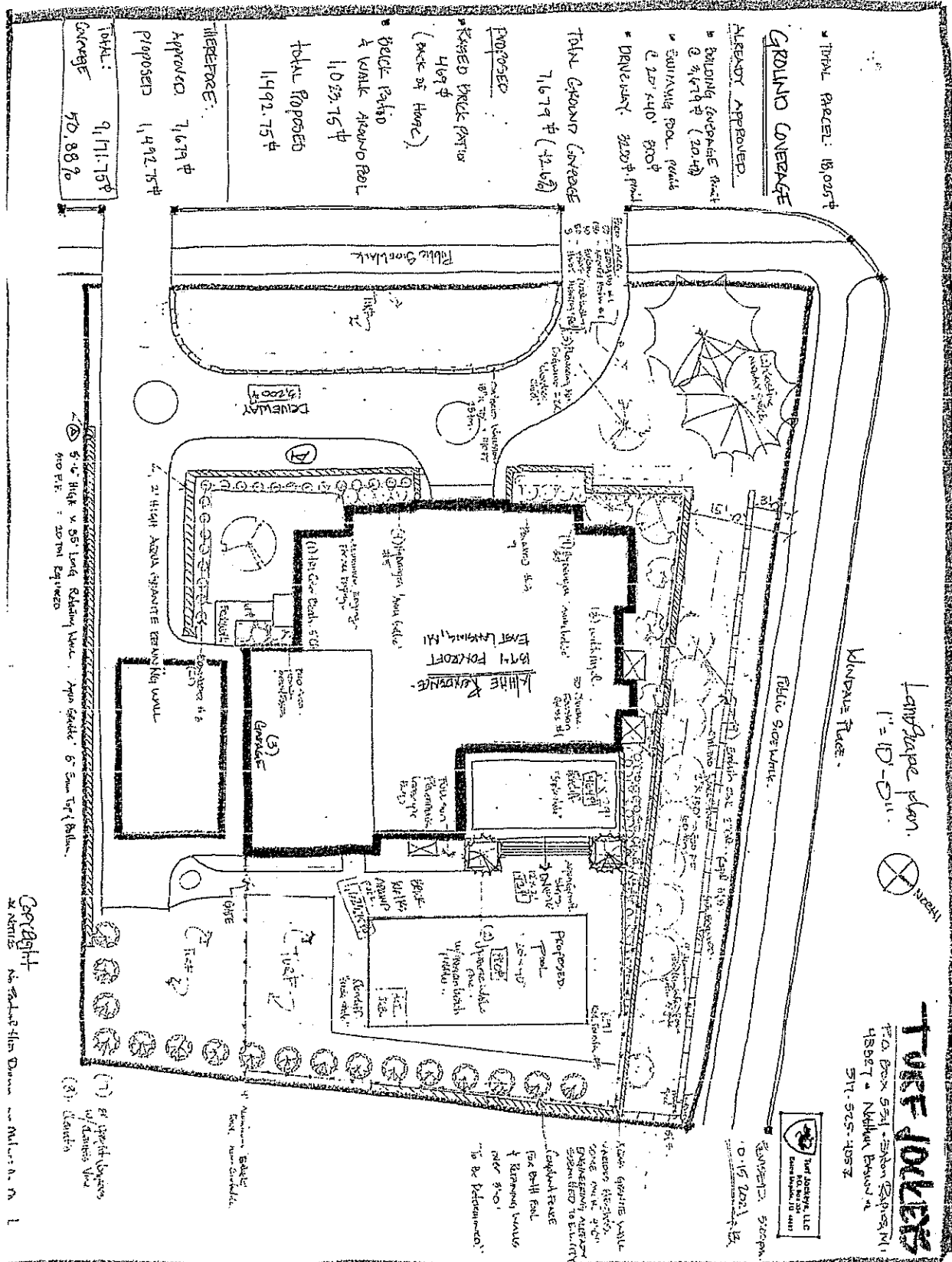
PROPOSED

- RISEED BRICK PATIO (BACK OF HOUSE): 469 sq ft
- DECK PATIO & WALK AROUND POOL: 1,033.75 sq ft
- TOTAL PROPOSED: 1,492.75 sq ft

THREE-FOLD:

- APPROVED: 7,679 sq ft
- PROPOSED: 1,492.75 sq ft

TOTAL: 9,171.75 sq ft
Average: 50.88%



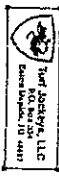
Landscape Plan
1" = 10'-0"

Municipal Office



TURF JOEY'S

P.O. Box 531 • Eaton Rapids, MI 48827 • Nathan Brown, Inc.
517-525-4057



Surveyed: 5/20/11
0.15 2011

Area granite wall
where the stairs
come out of ground
level. The stairs
designer's idea was
to be built in
concrete. The
stairs will be
made of granite
and the wall
will be 2'-0" high.

5'-6" High x 55' Long Retaining Wall. Approx. 6' from Top of Wall.
NO E.P. - 2011 Engineer

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