



Andy Schor
Mayor

LANSING BOARD OF ZONING APPEALS
Regular Meeting
Thursday, May 14, 2026, 6:30 PM
Neighborhood Empowerment Center
600 W Maple Street, Lansing, MI 48906

AGENDA

I. ROLL CALL

II. APPROVAL OF AGENDA

III. PUBLIC COMMENT

IV. PUBLIC HEARING/ACTION

A. BZA-4101.26, 2214 Delta River Drive

Public Hearing – To receive public comment on requests for variances to Sections 1254.01.17 (b) (2), 1250.04.01 (b) (1), (3) and 1250.04.08 (3) of the City of Lansing Zoning Ordinance to permit 2 curb cuts and the construction of a 1224 square foot detached garage with second story living space in the side yard, projecting 8 feet into the front yard at 2214 Delta River Drive.

Motion – In consideration of requests for variances to Sections 1254.01.17 (b) (2), 1250.04.01 (b) (1), (3) and 1250.04.08 (3) of the City of Lansing Zoning Ordinance to permit 2 curb cuts and the construction of a 1224 square foot detached garage with second story living space in the side yard, projecting 8 feet into the front yard at 2214 Delta River Drive.

V. OLD BUSINESS

VII. NEW BUSINESS

VI. APPROVAL OF MINUTES

A. Regular Meeting, February 12, 2026

VIII. PUBLIC COMMENT

IX. ADJOURNMENT

FOR SPECIAL ACCOMMODATIONS, PLEASE GIVE 24 HOURS NOTICE PRIOR TO THE MEETING BY CALLING SUSAN STACHOWIAK IN THE PLANNING OFFICE AT 517-483-4085 OR BY DIALING (TTY 711).

GENERAL INFORMATION

APPLICANT: George Berry
2214 Delta River Drive
Lansing, MI 48906

OWNER: Bethany Berry
2214 Delta River Drive
Lansing, MI 48906

REQUESTED ACTION: Variances to the allowable number of curb cuts and garages,
and to the allowable size and location (front and side yards)
for an accessory structure/dwelling unit

LAND USE: Single Family Residential

EXISTING ZONING: "R-1" Residential

LOCATION: The vacant lot where the proposed building would be located
was recently combined with the adjoining property to its east
containing the house at 2214 Delta River Drive.

SURROUNDING LAND USE: N: Single Family Residential
S: Single Family Residential
E: Single Family Residential
W: Single Family Residential

SURROUNDING ZONING: N: "R-1" Residential
S: "R-1" Residential
E: "R-1" Residential
W: "R-1" Residential

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the
subject property for low density residential use. Delta River
Drive is designated as a neighborhood connector.

REQUEST

This is a request for variances to permit 2 curb cuts and the construction of a 1224 square foot detached garage with second story living space in the side yard, projecting 8 feet into the front yard at 2214 Delta River Drive. Section 1254.01.17 (b) (2) permits one curb cut and Sections 1250.04.01 (b) (1), (3) and 1250.04.08 (3) of the City of Lansing Zoning Ordinance permit one garage on single family residential parcels of land, limits the size of a detached garage to 840 square feet, and requires garages with accessory dwelling units to be located in a rear yard only.

Permitted	Proposed	Variance
840 square foot (detached) garage size	1224 square feet	384 square feet
1 garage	2 garages	1 garage
1 curb cut	2 curb cuts	1 curb cut
Accessory dwelling units permitted in rear yards only	Located in side and front yards	Side and front yards

PRACTICAL DIFFICULTY/UNNECESSARY HARDSHIP

Sections 1274.06 (c)(1-4) and (e)(1)-(4) of the Zoning Ordinance set forth the criteria and standards which must be used to evaluate a variance request. In short, approval of a variance must be based upon a determination by the Board that:

1. There is a unique feature of the property, such as irregular size, shape or uneven topography, that either prevents compliance with the ordinance or makes it unreasonably difficult; or
2. Denial of the variance would cause an unnecessary hardship on the applicant since the result of the variance will not be contrary to the intent and purpose of the ordinance, will not set a negative precedent for future requests to vary the ordinance standard and will have no negative impacts on surrounding properties.

The application states that “The proposal for this property is to build a 3-car garage with a workshop for residents and a living area above the garage. The living area is for the parents of the owner to live out their retirement.”.

The applicant recently combined the vacant lot where the proposed garage/accessory dwelling unit would be located with the adjoining property at 2214 Delta River Drive that contains a single-family home with an attached garage. While the vacant lot is much shallower than the lot to which it was attached, it exceeds the minimum lot size requirements and is more than adequate to accommodate a new single-family residential dwelling on its own if the property were to be returned to 2 separate parcels of land. The proposed building would require substantial design changes, and the size of the garage would have to be reduced for it to qualify as a single-family dwelling and thus permitted on the vacant lot without the need for any variances.

Single family dwellings are permitted by right in the R-1 district which is the zoning designation of the subject property. Accessory dwelling units, by contrast, are only permitted on residential properties if they comply with the required conditions, one of which is that they must be located entirely in a rear yard. In this case that would mean that an ADU could not be constructed anywhere on the vacant lot. There is sufficient room in the back yard of 2214 Delta River (behind the existing house) to construct an ADU in compliance with all conditions applicable thereto. It could not include a garage as the site is only permitted the one garage that already exists. The existing attached garage could, however, be increased up to a maximum size of 1,000 square feet accommodate additional vehicle storage.

There is nothing unique about the subject property that warrants relief from the ordinance standards. The property exceeds the lot size standards, does not have an irregular shape that would impact new development, and there is no uneven topography or other feature that would prevent use of the property for what is permitted under the Zoning Ordinance. The basis for the variances is merely to accommodate the applicant's preference for developing the vacant lot for a garage/accessory dwelling unit as opposed to a new single-family home which would be permitted as a matter of right if the property were to be returned to two separate parcels of land.

Granting a variance when it cannot be established that there is a markedly unique feature of a site that makes compliance with a particular ordinance standard impractical or unreasonably difficult, would render the ordinance ineffective in accomplishing its intended purpose and could set a negative precedent for approval of future variance requests of a similar nature. By assuring that the request is adequate to differentiate it from a claim that could be made by most other property owners, the intent of the ordinance standard is preserved. Correspondingly, the request must be more than just a matter of mere preference as is the case with this request.

IMPACT STANDARDS

There are four standards listed in Section 1274.06 (e) of the Zoning Ordinance that must be satisfied in order to grant the requested variances. These standards and the manner in which they relate to the request are as follows

1. **The use will be in harmony with the appropriate and orderly development of the surrounding neighborhood.**

The proposed garage/accessory dwelling unit and second curb cut will not be harmonious with the area in which the property is located. The surrounding neighborhood is comprised of single-family residential dwellings with one driveway leading to one attached garage and with detached sheds located in side or rear yards. Single family residential homes with one attached or detached garage and one storage building/shed are permitted as a matter of right on residentially zoned parcels of land. Favorable consideration can be given to requests for variances that are necessary to permit these structures of appropriate sizes and locations to allow for use of a property that would otherwise be permitted, but for a unique physical feature of the site that prevents or makes compliance with the applicable ordinance provisions unreasonably difficult. A second garage/curb cut is not permitted on residential lots and accessory dwelling units are only permitted on lots where the conditions set forth in the ordinance can be met. The entire section of the Zoning Ordinance regulating accessory dwelling units is attached to this report. The property at 2214 Delta River Drive contains a single-family home with an attached garage and there is ample space in the back yard to construct a shed or an accessory dwelling unit. Since a second garage and an accessory dwelling unit are not permitted by right, denial of the variances necessary to accommodate these buildings does not deny the owner reasonable use of the property.

2. **The use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved.**

The applicant is requesting one additional curb cut so that a circular driveway within the front yard of the subject property could be installed that would provide access to both the existing attached garage and the proposed detached garage. The variance for the additional curb cut is only necessary to accommodate access to a second garage, which also requires a variance. There is no basis for the additional garage/curb cut other than the applicant's desire for additional space to house vehicles related to the accessory dwelling unit and for storage and workspace.

3. **The use will be designed to eliminate a possible nuisance emanating there from.**

The proposed building and curb cuts will not generate any nuisances.

4. **The use will not interfere with or discourage the appropriate development and use of adjacent land and structures or unreasonably affect their value.**

See response to the first criterion in this section of the report.

FINDINGS

This is a request for variances to permit 2 curb cuts and the construction of a 1224 square foot detached garage with second story living space in the side yard, projecting 8 feet into the front yard at 2214 Delta River Drive. Section 1254.01.17 (b) (2) permits one curb cut and Sections 1250.04.01 (b) (1), (3) and 1250.04.08 (3) of the City of Lansing Zoning Ordinance permit one garage on single family residential parcels of land, limits the size of a detached garage to 840 square feet, and requires garages with accessory dwelling units to be located in a rear yard only.

The available information supports a finding that the requested variances do not comply with the applicable practical difficulty/unnecessary hardship and impact evaluation criteria listed in Sections 1274.06 (c) and 1274.06 (e) of the Zoning Ordinance. More specifically, there is nothing unique about the subject property that would deny the applicant reasonable use of the property. In addition, the basis for the applicant's request to allow for senior family members to reside on the property in separate living quarters from the owners/occupants of the single-family home is not sufficient justification for issuance of variances and would set a negative precedent for future requests to vary the ordinance standards.

RECOMMENDATION

Based on the information and findings described in this report, the staff recommendation is to deny the variances to Sections 1254.01.17 (b) (2) 1250.04.01 (b) (1), (3) and 1250.04.08 (3) of the City of Lansing Zoning Ordinance to permit 2 curb cuts and the construction of a 1224 square foot detached garage with second story living space in the side yard, projecting 8 feet into the front yard at 2214 Delta River Drive.

Respectfully Submitted,

Susan Stachowiak

Reset Form

Print Form



Andy Schar, Mayor

CITY OF LANSING - PLANNING OFFICE
PETITION
BOARD OF ZONING APPEALS

FILE NUMBER: BZA- _____

DATE SUBMITTED: 4/14/2026

A request is hereby made to vary the requirements of the Zoning and / or Sign Ordinance.

Street Address (include zip code): 2214 Delta River Dr, Lansing, MI 48906

Legal Description: [Empty box]

Applicant Name: George K Berry

Address (include zip code): 2214 Delta River Dr, Lansing, MI 48906

Phone Number: 517 819 0043

Owner Name: Bethany Berry

Owner Address (include zip code): 2214 Delta River Dr, Lansing, MI 48906

Owner Phone: 517 526 3775

Interest in Property (please check one)

- Option to buy, Owner, Other (please specify), Leasee, Represent Owner

Is this property in the flood plain?

Zoning of the property: R-1 Lot dimensions: _____ x _____ Yes No

Is this property residential? Yes No

of Efficiency Units: # of 1 Bedroom Units: # of 2 Bedroom Units: # of 3 Bedroom Units:

Total # of Units: Total # of Bedrooms: # of accessible on-site parking spaces:

Is this property non-residential? Yes No

of employees (largest shift): # of accessible on-site parking spaces:

Hours and days / week of operation: _____

Describe or explain your proposal for this property:

attach a separate sheet if more space is necessary

The proposal for this property is to build a 3 car garage with a workshop for residents and a living area above the garage. The living area is for the parents of the owner to live out their retirement years.

Section # with which this proposal is in conflict: Sec 1, part 12, Title 6, Chapter 1250

If this petition is not granted, explain how your proposal will be affected:

attach a separate sheet if more space is necessary

If this proposal is not granted the residence for the senior parents of the owner's in question. And the desire to care for their parents a lot more difficult.

Items to be submitted with the petition:

- 1 A site plan drawn to a scale of at least 1" = 100' showing the location of all structures, existing and proposed, in relation to the lot lines and access points.
- 2 Flood plain information where applicable.
- 3 Non-refundable fee for processing (5/6/24)

FEES:

Consolidated Rate:

\$450.00

A zoning variance means a modification of the strict letter of the zoning or sign codes, being title six and chapter 1442 respectively, of the City of Lansing, granted when, by reason of exceptional conditions, the strict application of the provisions of this chapter result in peculiar or exceptional practical difficulties or unnecessary hardship to the owner of the lot.

Please file this petition with the Planning Office.

Signature of applicant:

George K Berry

Name:

George K Berry

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933-1236
(517) 483-4066

Section 1250.04.08**ACCESSORY DWELLING UNITS**

(a) Definitions:

ACCESSORY DWELLING UNIT. A dwelling unit detached from and accessory to a principal Single-Family dwelling, also known as an ADU.

(b) In general, Applies to all Accessory Dwelling Units only.

(1) In addition to the following requirements, an Accessory Dwelling Unit is subject to all requirements of Section 1244.02, unless otherwise permitted.

1244.02 General Development Requirements For Dwelling Units

Any dwelling unit, including a structure or portion of a structure constructed on-site, a premanufactured unit, a precut structure or a panelized structure, shall comply with the following standards:

- It shall conform with the minimum residential lot dimensional requirements and building types for the district in which it is located.
- A dwelling shall be a minimum of 20 feet in width.
- A dwelling shall have a minimum internal height of seven and one-half feet.
- The depth of a Single-Family Dwelling shall not exceed two and one half (2.5) times the width of the front wall of the building containing the main entrance.
- It is firmly attached to a permanent foundation constructed on the site in accordance with the Building Code and has a wall of the same perimeter dimensions as the structure which is aesthetically compatible in design and appearance with conventionally on-site constructed homes, and is constructed of such materials and type as required in the Building Code.

If it is not a structure constructed on site, it shall be aesthetically compatible in design and appearance with conventionally on-site constructed homes. For purposes of compatibility, all structures shall:

- (1) Have not less than two exterior doors with one door being in front of the structure and the other being in either the rear or on the side of the structure;
- (2) Have permanently attached steps connected to exterior door areas or porches connected to exterior door areas where required by a difference in elevation;
- (3) Have siding firmly affixed to the exterior walls of the structure constructed of conventional materials such as wood, vinyl, aluminum or brick;
- (4) Have a shingled roof constructed of conventional material, which roof is permanently attached to the structure and has a minimum 4:12 pitch and an overhang of at least one foot; and
- (5) Not have wheels, towing mechanisms, undercarriages or chassis that are visible from the outside of the structure.

This paragraph shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or architectural design.

- (2) Only one (1) ADU is allowed on lots with an existing Single-Family principal dwelling in the R-1, R-2, R-3, R-MX, and DT-1 zoning districts.

[Interactive Zoning Map](#), to see your zoning district please type in your address and select the 'Lansing Form Based Code' under Map Layers

- (3) An ADU shall be detached in the rear yard subject to the size limitations of this chapter or be part of an accessory building (such as a converted garage or carriage house), subject to the size limitations of Maximum Square Footage of Detached Accessory Garages in Table 1250.04.01.

Table 1250.04.01 Accessory Structure Size Maximums	
Lot Size (square feet)	Maximum square footage of Detached Accessory Garages
5,000 – 7,800	720
7,801 – 10,800	770
10,801 – 21,780	840
21,781 – 43,560	1,000
Greater than 43,560	1,200

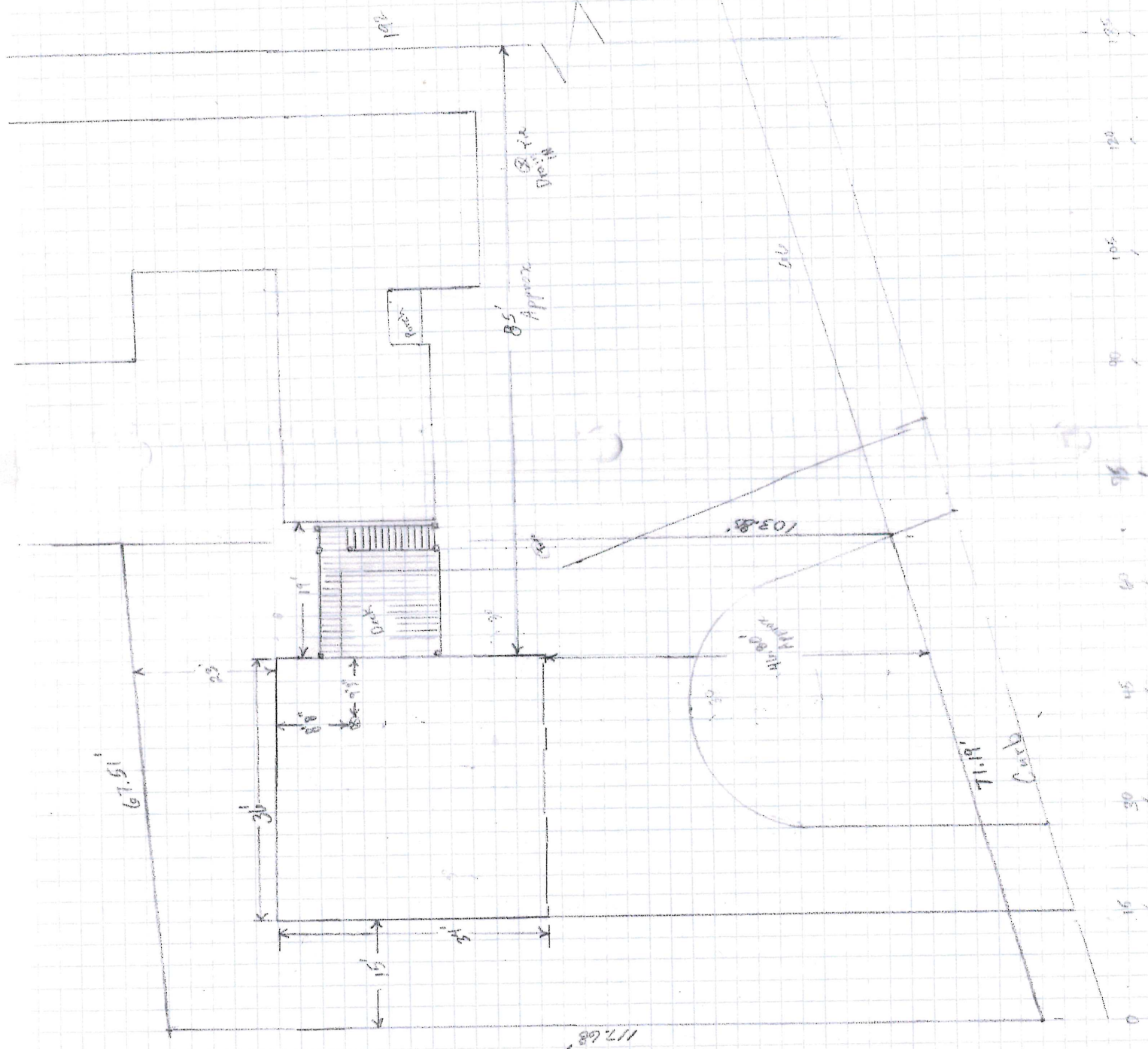
- (4) An ADU may have its first-floor finish elevation built at finished grade.
- (5) A principal structure shall not be divided into two (2) dwelling units for use as an Accessory Dwelling Unit.
- (6) An ADU is limited to a maximum of two (2) bedrooms.
- (7) For any lot, the principal structure or the ADU shall be owner-occupied. If either the ADU, or the principal structure is leased, it must be registered and properly licensed as a rental by the Code Compliance Office.

(c) Site Layout Requirements

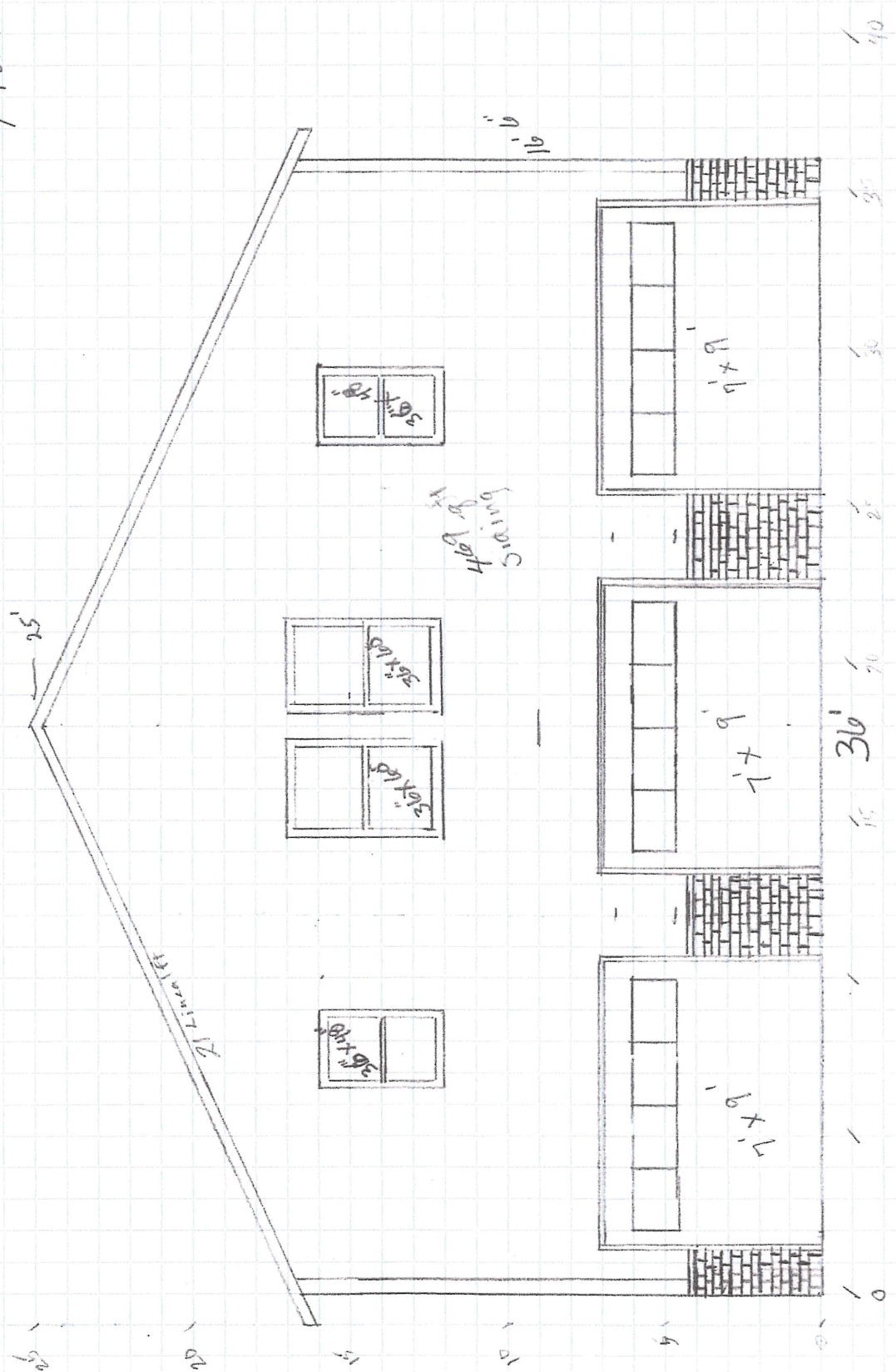
(1) Building Massing		
Minimum Height	12'	1 story
Maximum Height	15'	1.5 stories
Maximum Height of second-story unit of a garage	20'	2 stories
ADU Ground Floor Area	Minimum 400 square feet	Maximum not to exceed the ground floor area of the principal structure, up to 1,000 square feet

(2) Building Placement		
Front Setback	ADU is prohibited from being placed anywhere within the Front Yard.	
Minimum Setback from all side and rear property lines and other structures, if unattached	10'	
Minimum Setbacks if second story unit of a garage	May maintain existing setbacks, subject to all Building Code and Fire Code requirements.	
Minimum Lot Size	R-1	7,500 sq. ft.
	R-2, R-3, R-MX, DT-1	6,000 sq. ft.
Maximum Coverage of rear yard	33%	
Maximum Lot Coverage with ADU	65%	
(3) Parking		
Parking	One (1) unobstructed parking space, in addition to the parking for the principal residence	

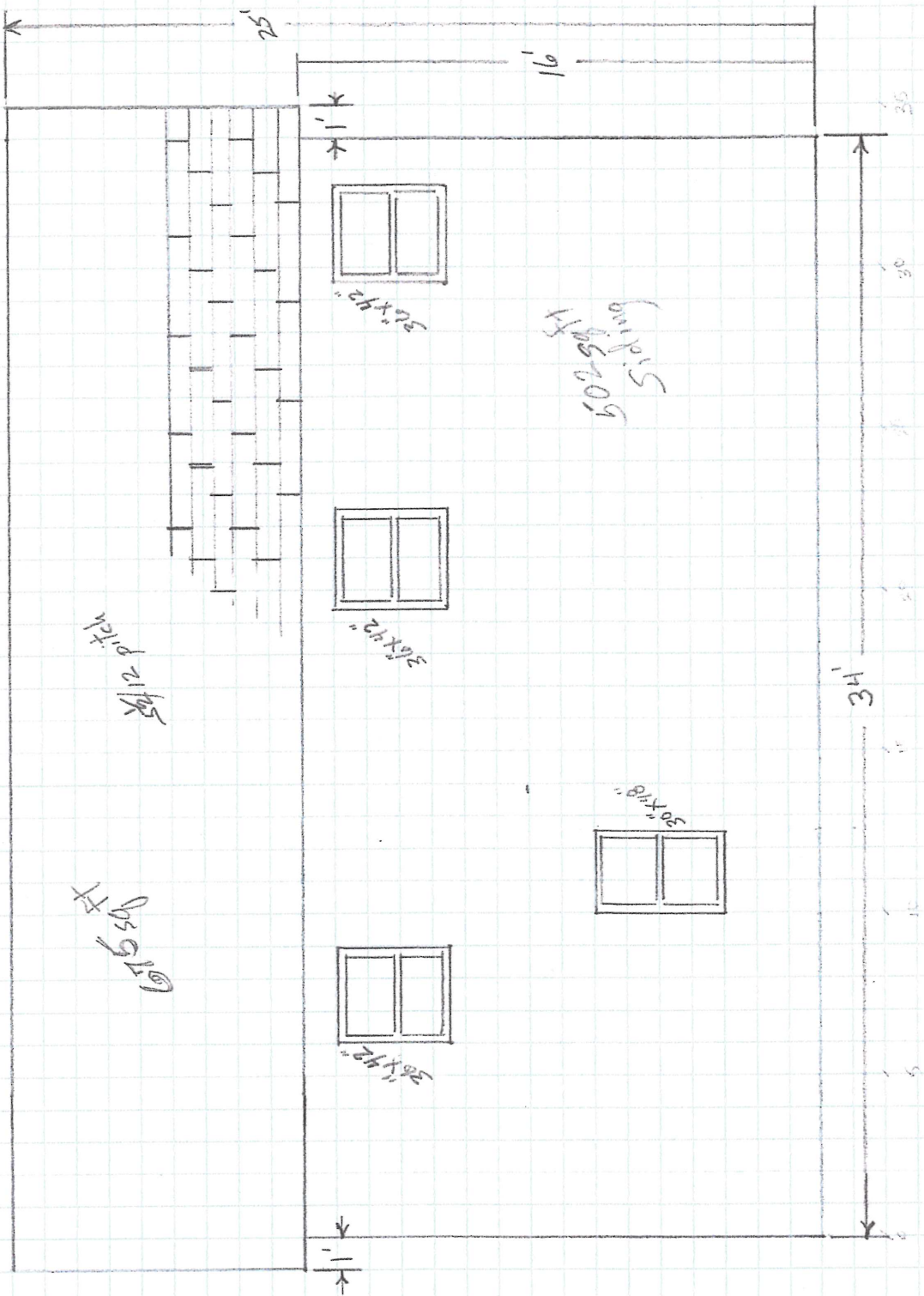
each sq = 3'
 2217 Delta River Dr.
 Site Plan #3



each sq = 1ft
2214 Delta River Dr
Front View

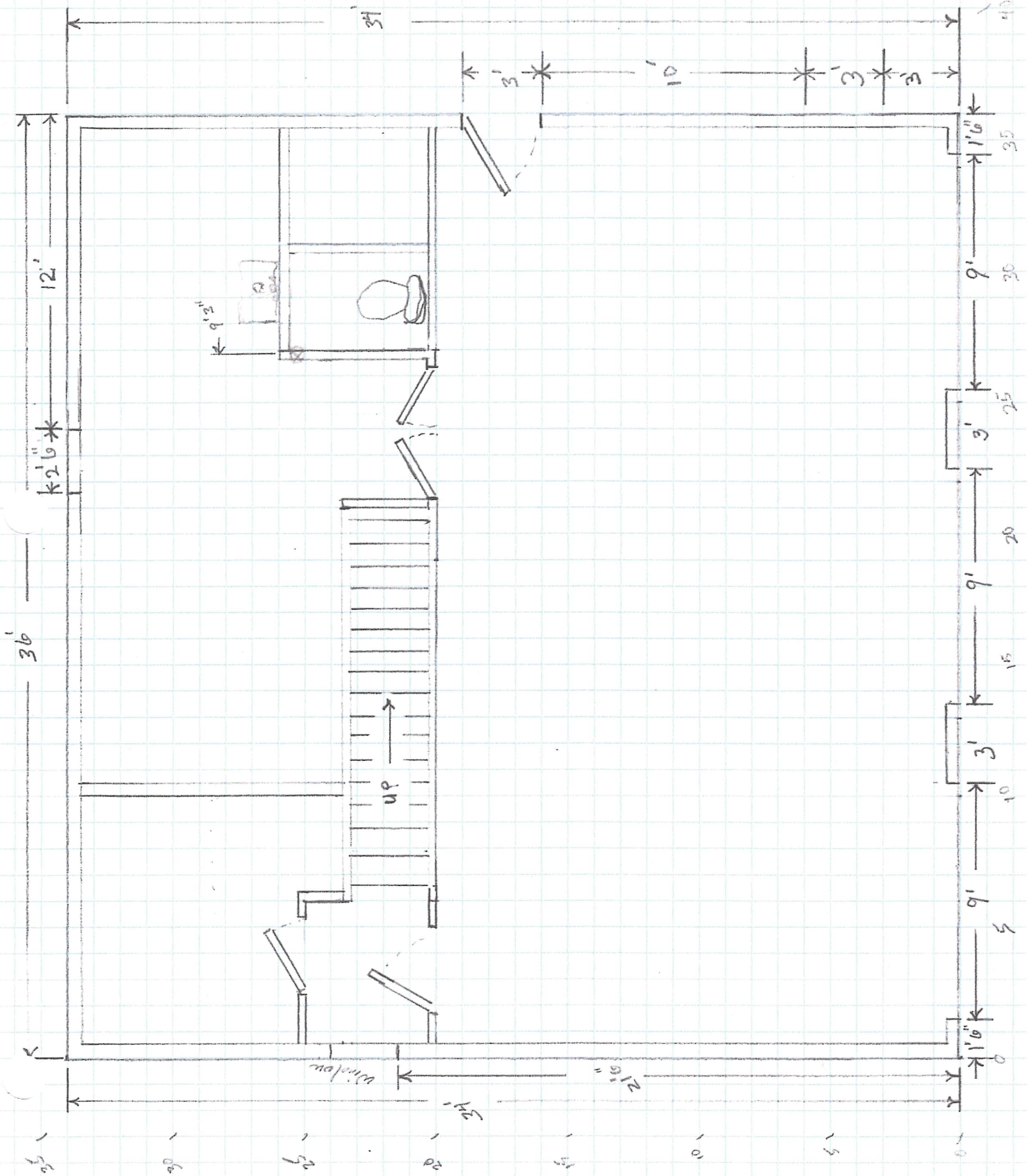


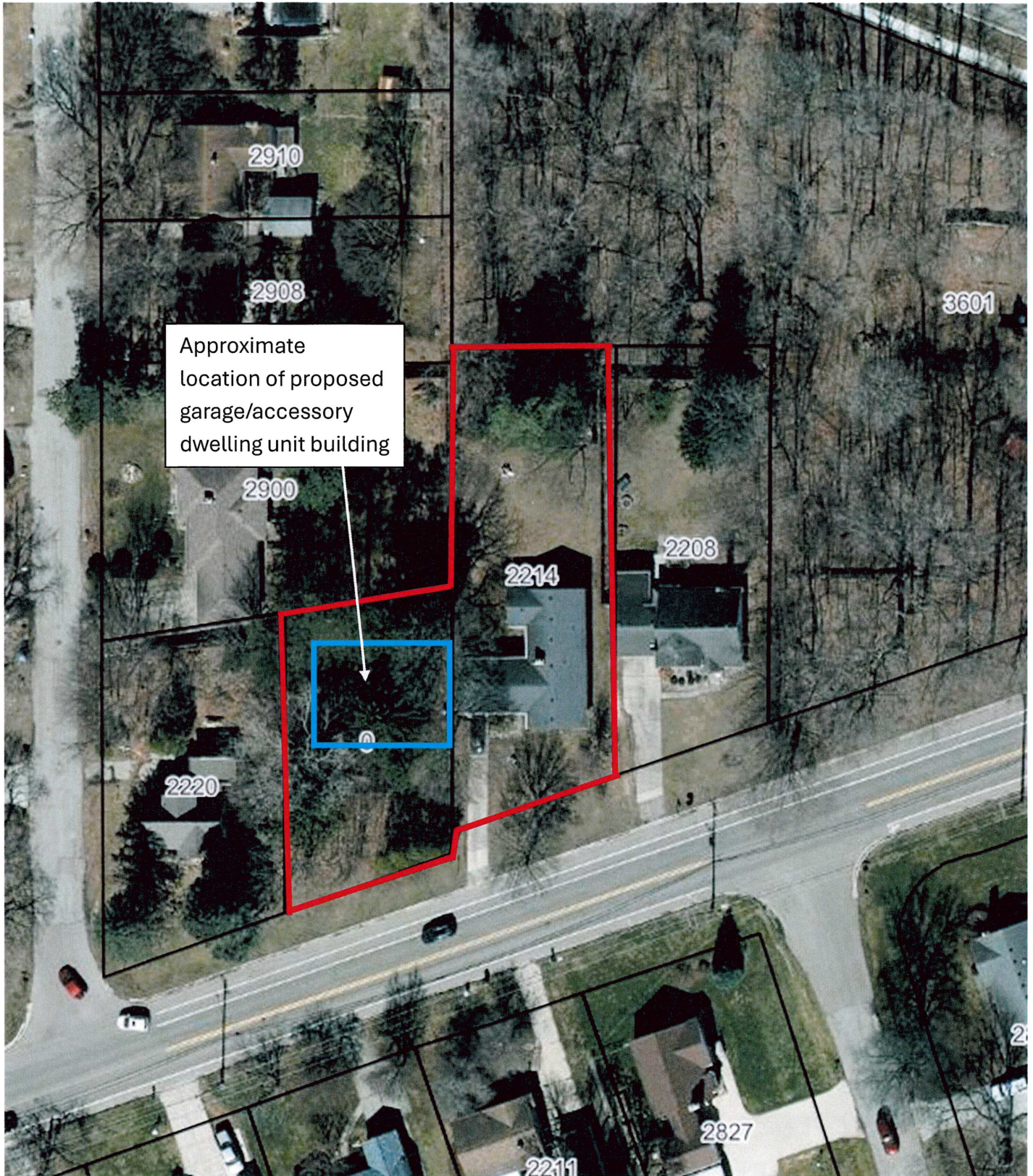
each sq = 1ft
 left side View
 2214 Delta River Dr.
 2 bedroom



each sq = 1'

2214 Delta River
3 Car Garage
with Hobby
Shop





Approximate location of proposed garage/accessory dwelling unit building

2910

2908

2900

2220

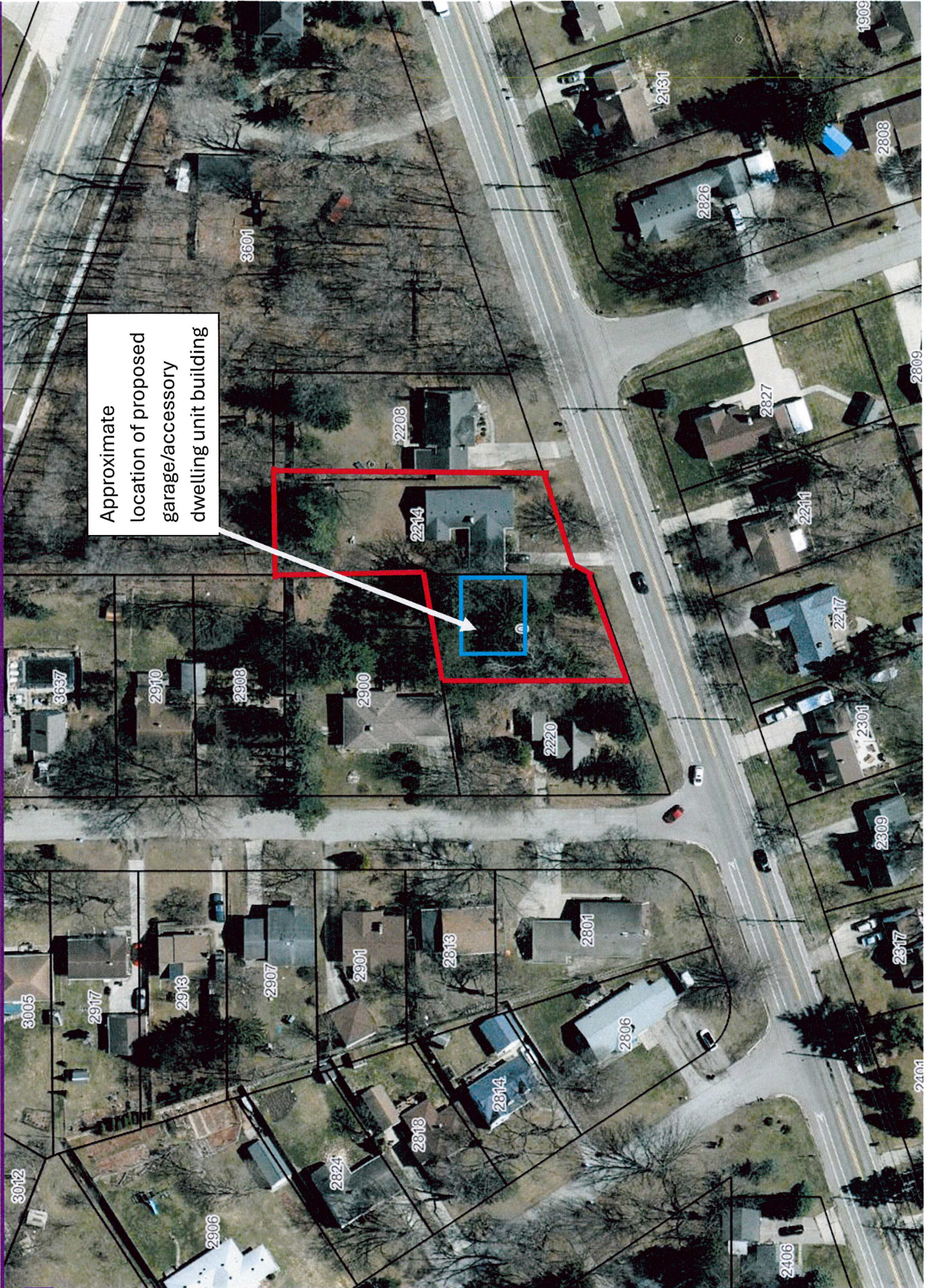
2214

2208

3601

2827

2211



Approximate location of proposed garage/accessory dwelling unit building

House at 2214 Delta River Drive and vacant (wooded lot) where the proposed garage/accessory dwelling unit structure would be located



Existing House at 2214 Delta River Drive



**MINUTES OF REGULAR MEETING
BOARD OF ZONING APPEALS
Thursday, February 12, 2026, 6:30 P.M.
600 W. Maple Street, Lansing MI**

I. ROLL CALL

The meeting was called to order by Chairperson Alling at 6:30 p.m.

Present: M. Alling, K. Berryman, M. Jackson, C. Iannuzzi, H. Lowry, M. Rice, & S. Robertson

Absent: B. Fryling

Staff: S. Stachowiak

A quorum of at least five members was present, allowing voting action to be taken.

II APPROVAL OF AGENDA

III. PUBLIC COMMENT – None

IV. PUBLIC HEARING/ACTION

A. BZA-4100.26, 533 Mall Court (300 Frandor Avenue)

Public Hearing – To receive public comment on a variance to Section 1310.12 (a)(9) of the Sign Ordinance to permit three wall signs on the building at 533 Mall Court, totaling 1,108.08 square feet in area.

Zoning Administrator, Susan Stachowiak stated BZA-4100.26 is a request by Johnson Sign Company for a variance to permit 3 wall signs on the building at 533 Mall Court (former Jo-Ann Fabrics) totaling 1,108.08 square feet in area. Section 1310.12 (a) (9) of the Sign Ordinance permits 3 signs (1 on each of the 3 exterior walls of the building) totaling not more than 200 square feet in area. A variance of 908.08 square feet to the allowable wall signage is therefore being requested. Ms. Stachowiak explained that variances to permit 3 wall signs totaling a maximum of 600 square feet (all 3 signs combined) on the building that is the subject of this request was approved in 1998. The ordinance at the time permitted 2 wall signs, totaling not more than 200 square feet in area. The only change under the current ordinance is that 3 wall signs are permitted (1 on each of the exterior walls of the building). The limitation on the size is still 200 square feet. The approved variance remains valid so the applicant could install 3 wall signs up to 600 square feet in area, collectively. The variance request for 1,108.08 square feet, however, is from the 200 square foot size limitation as the Board cannot authorize a variance to an approved variance.

Ms. Stachowiak stated that the staff recommendation is to deny the variances on a finding that they do not comply with the criteria set forth in Sections 1274.06 (c) and 1274.06 (e) of the Zoning Ordinance for evaluating variance requests. Said that the signage permitted under the variances that have already been approved is more than sufficient to identify the business and direct traffic to the building. Ms. Stachowiak stated that granting a variance when it cannot be established that there is a markedly unique feature of a site/building renders the ordinance ineffective in accomplishing its intended purpose and could set a negative precedent for approval of other variance requests of a similar nature.

Ms. Alling opened the public hearing. Seeing no one wishing to speak, the public hearing was closed

Motion – In consideration of a variance to Section 1310.12 (a)(9) of the Sign Ordinance to permit three wall signs on the building at 533 Mall Court, totaling 1,108.08 square feet in area.

Mr. Rice stated that there is no basis for approving the requested variance as it does not comply with the evaluation criteria set forth in the ordinance. Ms. Alling agreed and stated that the signage permitted under the variances that are already in effect for the building are more than adequate to identify the business located therein.

On a roll call vote, the motion carried unanimously (7-0).

V. **OLD BUSINESS** – None

VI. **NEW BUSINESS**

A. **Excused Absences**

Mr. Iannuzzi made a motion, seconded by Mr. Lowry, to grant an excused absence for Mr. Fryling. On a voice vote, the motion carried 7-0.

VII. **APPROVAL OF MINUTES**

A. **Regular Meeting, December 11, 2025**

Mr. Jackson made a motion, seconded by Mr. Lowry to approve the December 11, 2025, meeting minutes, as presented. On a voice vote, the motion carried 7-0.

VIII. **PUBLIC COMMENT** - None

IX. **ADJOURNMENT AT 6:45 p.m.**

Respectfully Submitted,