

**HOWELL TOWNSHIP  
ZONING BOARD OF APPEALS MEETING  
Howell Township Hall  
3525 Byron Road, Howell Township  
February 26, 2018  
6:30 P.M.**

**MEMBERS PRESENT:**

Kim Babcock	Chairman
Andrew Sloan	Vice-Chair & PC Representative
Sally Newstead	Board Representative
Sarah Tinsley	Member
Alex Hansen	Member

**MEMBERS ABSENT:**

Also Present: Joe Daus – Zoning Administrator.

Vice-Chairman Babcock called the meeting to order at 6:30 P.M.

The roll was called.

**PLEDGE OF ALLEGIANCE:**

All rose for the Pledge of Allegiance.

**ACKNOWLEDGMENT OF PAST MEMBER:**

Vice-Chairman Babcock gave acknowledgment of long member Thomas Knight who has been a member of the ZBA and served as Chairman for many, many years. He retired at the end of year 2017. He and his much knowledge of the zoning process will be missed. We wish him happiness in his future adventures.

**WELCOME NEW ZBA MEMBERS:**

Vice-Chairman Babcock acknowledged new members Township Board Representative Sally Newstead and member Alex Hansen.

**ELECTION OF OFFICERS:**

Vice-Chairman Babcock stated that the first meeting of the year it is time to appoint officers for the year. **MOTION** by Sloan, seconded by Tinsley, **“TO APPOINT KIM BABCOCK AS CHAIRMAN FOR THE YEAR 2018.”** Discussion followed. Motion carried. **MOTION** by Tinsley, seconded by Hansen, **“TO APPOINT ANDREW SLOAN AS VICE-CHAIRMAN FOR THE YEAR 2018.”** Discussion followed. Motion carried.

**APPROVAL OF AGENDA:** **MOTION** by Sloan, seconded by Tinsley, **“TO APPROVE THE FEBRUARY 26, 2018 ZONING BOARD OF APPEALS AGENDA AS PRESENTED.”** Motion carried.

**APPROVAL OF MINUTES:** **MOTION** by Tinsley, seconded by Sloan, **“TO APPROVE THE OCTOBER 23, 2017 ZONING BOARD OF APPEALS MEETING MINUTES AS PRESENTED.”** Motion carried.

**PETITIONER:** TRILOGY HEALTH SERVICES, PARCEL #4706-26-200-020, 1500 BYRON RD. HOWELL, MI 48855, FILE #V18-0001.

- All needed publishing and posting requirements have been met.
- Chairman Babcock reviewed the request for petitioner for (4) variances.

**Under Article XVI: Special Uses:**

Section 17.17C, Convalescent and Nursing Homes -

Building, West Side: Required setback is 75 feet; proposed setback is 48 feet, requesting a -27 foot variance.

Building, North Side: Required setback is 75 feet; proposed setback is 56 feet, requesting a -19 foot variance.

**Under Article XVIII: Off Street Parking, Loading and Unloading Requirements:**

Section 18.02C, Off-Street Parking Requirements –

Parking Space Size: Required size is 200 square feet; proposed size is 190 square feet, requesting a -10 square foot variance.

Section 18.02 E1, Off Street Parking Requirements –

Parking Lot: Required setback is 30 feet; proposed setback is 17.50 square feet, requesting a -12.50 foot variance.

- Civil/ Municipal Group Manager, Michael Brand from Mannik Smith Group for Trilogy Health Services (The Willows at Howell) stated the proposed project is the construction of a 35 bed memory care facility that is necessary to provide a continuum of care for the residents. This was presented to the Planning Commission at their January Meeting.

One of the variances that we were seeking, was for a -10 square feet variance to Section 18.02 C, to a required 200 square feet parking spaces. It has now been discovered that with a 1 foot overhang in each of those parking spaces those spaces meet the 200 required square feet. If the ZBA agree we will not be seeking that variance. It will not be possible to get in that extra foot of space without considering the overhang. (Upon discussion, it was the consensus that the 1 foot overhang was discussed at the last Planning Commission Meeting and the necessity for that variance is not needed.)

Mr. Brand explained the recommendations from the Planning Commission that have been taken into consideration in the revised plans and the reasons for the need for the other 3 variances.

- Vice-Chairman Sloan and representative from the Planning Commission stated that Trilogy's Preliminary Site Plan Review was tabled because of the concerns that were addressed tonight and because of the variances that needed to be approved. Sloan stated he appreciated the changes that have been made. When Trilogy came with their plans for the first building it was understood that it was their intention that they will be coming back for a second building. Since then, the Master Plan has changed. There will be a Public Hearing for a Special Use at tomorrow's Planning Commission Meeting. They will also be seeking their Preliminary Site Plan Review
- Questions and statements were taken from the panel.
- Chairman Babcock addressed a letter from a resident who lives in Rolling Oaks which is across the street and is within Howell City who is objecting the allowance for the variances. The letter stated they are mostly objecting to the pump station alarm that goes off. (Zoning Administrator Daus stated he will check into this problem.) There were no other letters or phone calls from any other residents.
- Chairman Babcock stated that there are 4 options to choose from, you can 1) grant the request 2) grant the request with conditions 3) deny the request 4) table anyone of the request.

- **MOTION** by Sloan, seconded by Tinsley, **“TO APPROVE THE REQUEST TO ARTICLE XVI: SECTION 16.17C FOR THE BUILDING, WEST SIDE, TO GRANT THE SETBACK FROM 75 FEET TO 48 FEET FOR A -27 FOOT VARIANCE FOR PARCEL #4706-26-200-020.”** Discussion followed. A roll-call vote was taken: Babcock – yes, Sloan – yes, Newstead – yes, Tinsley – yes, Hansen – yes. Motion carries 7 to 0.
- **MOTION** by Tinsley, seconded by Hansen, **“TO APPROVE THE REQUEST TO ARTICLE XVI; SECTION 16.17C FOR THE BUILDING, NORTH SIDE, TO GRANT THE SETBACK FROM 75 FEET TO 56 FEET FOR A -19 FOOT VARIANCE FOR PARCEL #4706-26-200-020.”** Discussion followed. A roll-call vote was taken: Newstead – yes, Tinsley – yes, Sloan – yes, Babcock – yes, Hansen – yes. Motion carries 7 to 0.
- **MOTION** by Sloan, seconded by Newstead, **“TO APPROVE THE REQUEST TO ARTICLE XVIII: SECTION 18.02 E1 OFFSTREET PARKING REQUIREMENTS, TO GRANT THE SETBACK FROM 30 FEET TO 17.50 FEET FOR A -12.5 FOOT VARIANCE FOR PARCEL #4706-26-200-020.”** Discussion followed. A roll-call vote was taken: Hansen – yes, Newstead – yes, Sloan – yes, Tinsley – yes, Babcock – yes. Motion carries 7 to 0.

**CALL TO PUBLIC:**

No response.

**ADJOURNMENT:** **MOTION** by Newstead, seconded by Hansen **“TO ADJOURN.”** Motion carried. Meeting adjourned at 7:04 p.m.

Approved as presented:           X          

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Kim Babcock  
Chairman

Approved as Amended: \_\_\_\_\_

Approved as Corrected: \_\_\_\_\_

\_\_\_\_\_  
Andrew Sloan  
Vice-Chairman

Date:           04.16.2018          

Signed: \_\_\_\_\_  
Debby Johnson  
Recording Secretary