

HOWELL TOWNSHIP ZONING BOARD OF APPEALS
APPROVED MINUTES: MARCH 16, 2021, 6:30 P.M. - ZOOM
3525 BYRON RD. HOWELL TOWNSHIP HALL, HOWELL MI 48855 (517-546-2817)

MEMBERS PRESENT:

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| Carrie Newstead | Chairwoman |
| Andrew Sloan | Vice-Chairman |
| Tim Boal | Member |
| Ken Frenger | Member |
| Evan Rudnicki | Board Representative |

MEMBERS ABSENT:

Also in attendance: Zoning Administrator, Joe Daus

Chairwoman Newstead called the meeting to order at 6:32 p.m. The roll was called.

The board members welcomed new ZBA member Ken Frenger.

ELECTION OF OFFICERS:

- **MOTION TO REELECT CARRIE NEWSTEAD AS CHAIRWOMAN, AND ANDREW SLOAN AS VICE-CHAIRMAN.** Roll was called, motion carried.

APPROVAL OF AGENDA:

- **MOTION** by Boal, seconded by Rudnicki, **"TO APPROVE THE MARCH 16, 2021 ZONING BOARD OF APPEALS AGENDA AS PRESENTED."** Motion carried.

APPROVAL OF MINUTES:

- **MOTION** by Sloan, seconded by Boal, **"TO APPROVE THE SEPTEMBER 21, 2020 ZONING BOARD OF APPEALS MEETING MINUTES AS PRESENTED."** Motion carried.

TOWNSHIP BOARD REPORT: Minutes from past meetings where attached, board member did not have questions.

PLANNING COMMISSION REPORT: Minutes from past meeting where attached, board members did not have questions.

PUBLIC HEARING: Chairwoman Newstead opened the public hearing.

PETITIONER A: Jeff & Tina Thomas. #PZBA-2021-01, Parcel #4706-22-300-033, 2653 Popple Lane, Howell MI 48855.

- Applicant reviewed request A: The request on Article IV – Agricultural/Residential (AR) District, Section 4.06 Dimensional Regulation, Item 3. Applying for a minus ten foot (-10) foot dimensional variance allowing for a detached accessory structure to exceed the minimum 50 foot rear yard setback.
- Chairwoman Newstead then invited the ZBA members to ask questions, discussion followed.
- No comments from the public.

MOTION by Rudnicki, seconded by Boal, **TO APPROVE THE DIMENSIONAL VARIANCE FOR THE MINUS TEN FOOT REAR YARD SETBACK FOR THE PETITIONER JEFF AND TINA THOMAS, PZBA-2021-01.**

Roll was called: Frenger–yes, Boal–yes, Rudnicki–yes, Sloan–yes, and Newstead – yes. Motion carries 5 – 0.

- Chairwoman Newstead, moving on to the petitioner’s second request. Article XIV- Supplemental Regulations, Section 14.07 – Accessory Building Provision, item B. Petitioner is requesting for a sixty five foot dimensional variance allowing for a detached accessory structure to be located in a front of the rear line of the house.
- The applicant reviewed his request.
- Chairwoman Newstead then invited the ZBA members to ask questions, discussion followed.

MOTION by Sloan, Seconded by Frenger, **TO APPROVE THE VARIANCE REQUESTED IN PZBA-2021-01, PARCEL 4706-22-300-033, ON THE GROUND THAT THEY HAVE PRESENTED SUFFICIENT HARDSHIPS TO WARRANT THE VARIANCE.**

Roll was called: Boal-Yes, Rudnicki-Yes, Sloan-Yes, Newstead-Yes, Frenger-Yes. Motion carries 5 – 0.

PETITIONER B: Howell Mason LLC, Todd Lekander, #PZBA-2021-02, Parcel 4706-33-300-001, 3958 Mason Road, Howell MI 48843. & Parcel 4706-33-300-018, 70 N. Burkhart Road, Howell MI 48843.

- The petitioner is requesting a variance to allow a gasoline station to be located in a wellhead protection area.
- Brent LaVanway, with Boss Engineering gave an over view of the property location and the proposed development. He also spoke to the Township Ordinance being out dated due to the improvement in safety regulation for gasoline stations, and that this creates a hardship on the owner as he is not allowed to put a gasoline station on these sites and gasoline stations are allowed in NSC Zoning District.
- Todd Lekander spoke about the safety of new style gas tanks and the pumping system, and the safety system that would be used at this location.
- Todd Lekander answered questions from board members.
- Chairwoman Newstead open the meeting for public to comment. Rick Everly, 3769 Mason. spoke in opposition to the gas station. Amber Kinder, 184 Groveland spoke in opposition. Greg Lask, 161 Deer Ridge spoke in opposition. Jeff Frasier, Fox Meadows spoke in opposition. Carl & Catherine DelRose, 80 Groveland spoke in opposition. Julie Mullens spoke in opposition. Jenni Johnson, 273 S. Burkhart, spoke in opposition. Chris Dickey, 4064 Berry Farms, Spoke in opposition. Sharron Lollo, 3910 Mason, spoke in opposition. Andrew Hamm, 14 Santa Rosa, spoke in opposition. Brett & Becky Bigelow, 3880 Mason, spoke in opposition. Ann kleabir, 3700 Mason, spoke in opposition. Austin Cook, spoke in opposition. Marco Lollo, 3910 Mason, spoke in opposition. David Allred, 160 N. Burkhart, spoke in opposition. Denie Perkola, 3460 Mason, spoke in opposition. Marion Maher, 3670 Mason, spoke in opposition. Kevin Mclellan, 61 S Burkhart, spoke in opposition.
- Brent LaVanway with Boss Engineering thank the public for their comments, in closing stated that they are here to request a variance from the MHOG wellhead protection area. This is just the being of the process and they would need to meet all local, state, and federal requirements. Requested the Boards consideration, and understanding of the hardship.

MOTION by Rudnicki, second by Sloan, **TO DENY THE REQUSET FOR HOWELL MASON LLC, PZBA2021-02, PARCEL #4706-33-300-001, TO ALLOW A GAS STATION IN THE WELLHEAD PROTECTION AREA.**

Roll was called: Boal-Yes, Sloan-Yes, Rudnicki-Yes, Frenger-Abstained, Newstead-Yes. Motion carries 4-yes, 1 Abstained.

OTHER BUSINESS: None.

CALL TO THE PUBLIC: Julie Mullins, 3885 Mason Rd. ask about the appeal processes. Greg Lask, 161 Deer Ridge, ask about review the corridor plans. Jeni Johnson, 273 S Burkhart Rd. Asked if the gas station can come back in the future.

ADJOURNMENT:

MOTION by Rudnicki, seconded by Sloan, **“TO ADJOURN.”** Motion carried. Meeting adjourned at 7:55 P.M.

Approved: _____ XXXXXX _____

Carrie Newstead, Chairwoman

As Presented: _____ XXXXXX _____

As Amended: _____

Andrew Sloan, Vice-Chairman

As Corrected: _____

Dated: _____ 5.17.2021 _____