

**HOWELL TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING**

3525 Byron Road
Howell, MI 48855
May 21, 2024
6:30 pm

1. Call to Order
2. Roll Call: () Ken Frenger - Chair
 () Carol Weaver – Vice Chair
 () Jim McEvoy – Secretary
 () Jeff Smith – Board Rep.
 () Wayne Williams – P.C. Rep.
3. Pledge of Allegiance
4. Approval of the Agenda:
5. Approval of the Minutes:
Regular Meeting April 16, 2024
6. Township Board Report:
7. Planning Commission Report:
9. Old Business:
10. New Business:
A. Kevin Staley, PZBA-2024-03, Parcel #: 4706-12-400-017, 1920 E. Marr Rd. Howell, MI 48855.
Section 14.07-B Accessory Building Provisions.
Request: 100 foot variance to allow accessory building to be located in front of the rear line of the house
11. Other Business:
A. Education – Discussion
12. Call to the Public:
13. Adjournment

DRAFT

**HOWELL TOWNSHIP
 ZONING BOARD OF APPEALS
 REGULAR MEETING MINUTES
 3525 Byron Road Howell, MI 48855
 April 16, 2024
 6:30 P.M.**

MEMBERS PRESENT:

Ken Frenger Chair
 Carol Weaver Vice Chair

 Harold Melton Board Rep. Alternate
 Wayne Williams Planning Comm. Rep.

MEMBERS ABSENT:

Jim McEvoy Secretary

Also in Attendance:

Zoning Administrator Jonathan Hohenstein

Chairman Frenger called the meeting to order at 6:30 pm. The roll was called. Chairman Frenger requested members rise for the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Motion by Melton, **Second** by Weaver, **“To approve the agenda as presented.”** Motion carried.

APPROVAL OF THE MEETING MINUTES:

February 20, 2024

Motion by Williams, **Second** by Weaver, **“To approve the meeting minutes from the Howell Township Zoning Board of Appeals meeting from February 20, 2024.”** Motion carried.

TOWNSHIP BOARD REPORT:

Township Board Representative Melton gave the Board synopsis. Williams inquired about the marijuana dispensaries discussion.

PLANNING COMMISSION REPORT:

Planning Commission Representative Williams provided a summary of the activity of the Planning Commission.

OLD BUSINESS:

None

OTHER BUSINESS:

None

NEW BUSINESS:

A. Christopher Schmidt, PZBA-2024-01, Parcel #: 4706-02-100-042, 5731 Preston Rd. Howell, MI 48855. Request: 125 foot variance to Section 14.07-B to allow accessory building to be located in front of the rear line of the house.

Applicant Schmidt explained the request to the Board: his property is approximately 2 acres and is accessed by a private drive, his septic field is on the west side of his property along with an area that is currently being farmed, the north side of his property is heavily wooded. Questions and discussion from the Board included the location of the septic field and the well, location of trees, the direction Mr. Schmidt's house faces versus what is his front yard, the location of his chicken coop. **Motion by Weaver, Second by Melton, "To approve Christopher Schmidt PZBA-2024-01, Parcel # 4706-02-100-042, 5731 Preston Rd. Howell, MI 48855 for 125 foot variance and allow the building to be built in front of the rear line of the house."** Discussion followed. Roll call vote: Frenger – Yes, Weaver – Yes, Melton – Yes, Williams – Yes. Motion passed 4-0.

B. Old Glory LLC, PZBA-2024-02, Parcel #: 4706-20-201-015, 4120 W. Grand River Ave. Howell, MI 48855. Request: 25 foot variance to Section 14.35-A and Section 26.05 to allow the detention basin to be located in the front yard setback.

Applicant's engineer Al Pruss, MEGA Engineering, gave an overview of the project and the request to extend the detention basin into the front yard setback. Since a detention basin is considered a structure under the ordinance a variance is needed. Questions and discussion from the Board included the location of utilities, existing site drainage, depth of the proposed basin, landscaping. **Motion by Williams, Second by Melton, "Old Glory, PZBA-2024-02, Parcel #: 4706-20-201-015, 4120 W. Grand River Ave. Howell, MI 48855 to approve request of 25 foot variance to allow the detention basin to be located in the front yard setback."** Roll call vote: Frenger – Yes, Williams – Yes, Weaver – Yes, Melton – Yes. Motion passed 4-0.

CALL TO THE PUBLIC:

Tim Boal 66 Santa Rosa Dr.: Discussed recent Supreme Court case regarding the Zoning Board of Appeals, by-laws.

ADJOURNMENT:

Motion by Melton, Second by Williams, "To adjourn at this time." Motion carried. The meeting was adjourned at 7:28 pm.

Date

Jim McEvoy
ZBA Secretary

HOWELL TOWNSHIP BOARD
April 8, 2024
Regular Meeting
Synopsis

The April 8, 2024 Howell Township regular meeting, held at the Township Hall, 3525 Byron Road, was called to order by Supervisor Coddington at 6:30 PM. Members present: Coddington, Daus, Hohenstein, Counts, Melton, Wilson. The following actions were taken: 1) Approved the agenda 2) Approved the March 4, 2024 Regular Board meeting minutes 3) Approved the sewer clarifier repair project 4) Approved the County to take over addressing duties 5) Approved the agreement to collect summer taxes for Fowlerville Schools 6) Approved road chloride bid 7) Denied request to allow marijuana dispensaries in the Township 8) Approved MHOG budget and allocation percentage 9) Accepted the disbursements and customary payments for the month 10) Adjourned at 8:15 pm

Tanya Davidson
Recording Secretary

HOWELL TOWNSHIP
Application for Zoning Board of Appeals
3525 Byron Road Howell, MI 48855
Phone: 517-546-2817 ext. 108
Email: inspector@howelltownshipmi.org

File Number: PZBA- 2024-03 Parcel ID: 4706- 12 - 400 - 017 Date 04/09/2024

* Residential Request, Fee \$400.00

Commercial Request, Fee \$900.00

Owner Name Kevin C Staley Owner Address 1920 E Marr, Howell MI 48855
 Applicant Name Kevin C Staley Applicant Address 1920 E Marr, Howell MI 48855
 Contact Person for all Correspondence Kevin C Staley
 Address 1920 E Marr, Howell MI 48855
 Phone 248-797-4872 Fax n/a Email kevin.staley@sbcglobal.net
 Applicant is: Owner Tenant Land Contract Purchaser
 Other, Explain _____

Nature of Request

Application for Variance Appealing Planning Commission Decision
 Appealing Zoning Administrator Decision Application for Interpretation of Ordinance

General Location of Property Southeast Corner of Marr Rd and Fisher Road
 Between Roads Oak Grove & Fisher
 Please attach a copy of the legal description of property to the application.
 Current Zoning Classification SFR

Details of your request and reasons why the request should be granted:
 Applying for a one hundred (100) foot dimensional variance to allow for an accessory building to be located in front of the rear line of the house. Request is for a 24'x32' detached garage. Hardship is the house is located on a hill and there is severe grades located to the rear of the existing house and a water well located there which creates a practical difficulty to meet the ordinance.

Have previous appeal(s) been made on this property? No Yes
 If yes: Date of appeal _____ Nature of appeal _____ Decision _____

Appealing the Zoning Administrator's decision? Yes No
 Appealing the Planning Commission's decision? Yes No
 If yes, grounds for appeal:

 Specify ordinance sections which substantiate your reasons for appeal:

Requesting an interpretation of the ordinance? Yes No
 If yes, Zoning Ordinance section _____
 Applicants interpretation of the Ordinance section (attach any supporting material)

Please provide the following:

Zoning Ordinance Section	14.07 - Supplemental Regulations, Accessory Building Provisions			
Is this a request for a dimensional variance?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Is this a request for a use variance?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
State the minimal acceptable variance being requested	100 foot			
Date and Decision of Zoning Administrator and/or Planning Commission				

Applicant hereby acknowledges the following (initial each section)

That granting of the variance request will not confer upon the Applicant any special privileges that are denied by the provisions of the ordinance to other lands, under the provisions of the ordinance.	KCS
The practical difficulties or unnecessary hardship in the strict application of the ordinance was not created or caused by the Applicant.	KCS
The Zoning Board of Appeals cannot grant a variance for a use that is not permissible in the designated zoning district.	KCS
The Zoning Board of Appeals has the right to prescribe conditions and safeguards for any variance granted.	KCS
The Applicant acknowledges that the use for construction authorized by such variance or permit must be commenced within one year of granting the variance, otherwise the variance is null and void.	KCS
No application for a variance which has been denied shall be resubmitted for a period of one year except on grounds of new evidence of change of conditions.	KCS
Applicant acknowledges he has read and understands Article XXII entitled "Zoning Board of Appeals."	KCS
Applicant grants permission to all ZBA members access to the property to view all relevant areas pertaining to the request.	KCS

I hereby depose and say that all the above statements and information contained in this Application and any attachments submitted herein are true and accurate.



Owner's Signature

Kevin C Staley

Print Name

04/09/2024

Date

Subscribed and sworn to before me this

9th day of April, 2024



Notary Public

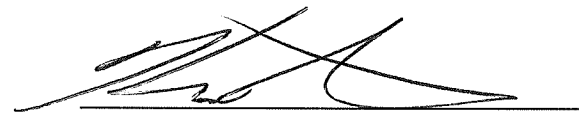
Pamela L. Merline

Printed Name

Livingston County, Michigan

My Commission expires: 12/11/2025

PAMELA L. MERLINE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF LIVINGSTON
My Commission Expires 12/11/2025
Acting in the County of _____



Applicant's Signature

Kevin C Staley

Print Name

04/09/2024

Date

Subscribed and sworn to before me this

9th day of April, 2024



Notary Public

Pamela L. Merline

Printed Name

Livingston County, Michigan

My Commission expires: 12/11/2025

PAMELA L. MERLINE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF LIVINGSTON
My Commission Expires 12/11/2025
Acting in the County of _____

WARRANTY DEED-Statutory Form
 C.L. 1948, 565.151 M.S.A. 26.571

1995-1945 REC0397 020424 AUG-48 22.00 150.00

Furnished by AMERICAN TITLE INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That Stanley L. Lalewicz, Jr. and Antoinette Lalewicz, his wife, 2805 East Coon Lake Road, Howell, Michigan 48843
 convey and warrant to Kevin Clark Staley and Annette Marie Staley, his wife whose address is 520 Curzon, Apartment 301, Howell, Michigan 48843

the following described premises situated in the Township of Howell and State of Michigan, to-wit: County of Livingston

SEE ATTACHED LEGAL DESCRIPTION

RECORDED
 AUG 4 4 50 PM '95
 HANGY HAVILAH,
 REGISTER OF DEEDS
 LIVINGSTON COUNTY, MI
 480043

TITLE INSURANCE - - - ESCROWS

for the full consideration of Twenty Thousand Dollars
 subject to matters of record

Dated this 21st day of July 19 95

Witnesses:
 JOHN S. LOBUR
 PAMELA COMPAGNARI
 Signed and Sealed:
 Stanley L. Lalewicz (L.S.)
 Antoinette Lalewicz (L.S.)
 Antoinette Lalewicz (L.S.)
 ANTOINETTE LALEWICZ (L.S.)

STATE OF MICHIGAN }
 COUNTY OF Livingston }

The foregoing instrument was acknowledged before me this 21st day of July 19 95 by Stanley L. Lalewicz, Jr. and Antoinette Lalewicz
 My commission expires April 18, 1999

Type name of Grantor Instrument Drafted by JOHN S. Lobur, attorney at law
 Pamela Compagnari
 Notary Public
 Business 223 West Grand River, Howell, MI
 County, Michigan

County Treasurer's Certificate
 I have examined the foregoing instrument and find that it is in conformity with the laws of this State and that the same is in full compliance with the provisions of the Act of March 27, 1907, as amended, and that the same is in full compliance with the provisions of the Act of March 27, 1907, as amended, and that the same is in full compliance with the provisions of the Act of March 27, 1907, as amended.

STATE OF MICHIGAN
 DEPT. OF TOXCON
 LIVINGSTON COUNTY
 8009213 07 AUG 1995

Recording Fee \$55.00
 State Transfer Tax

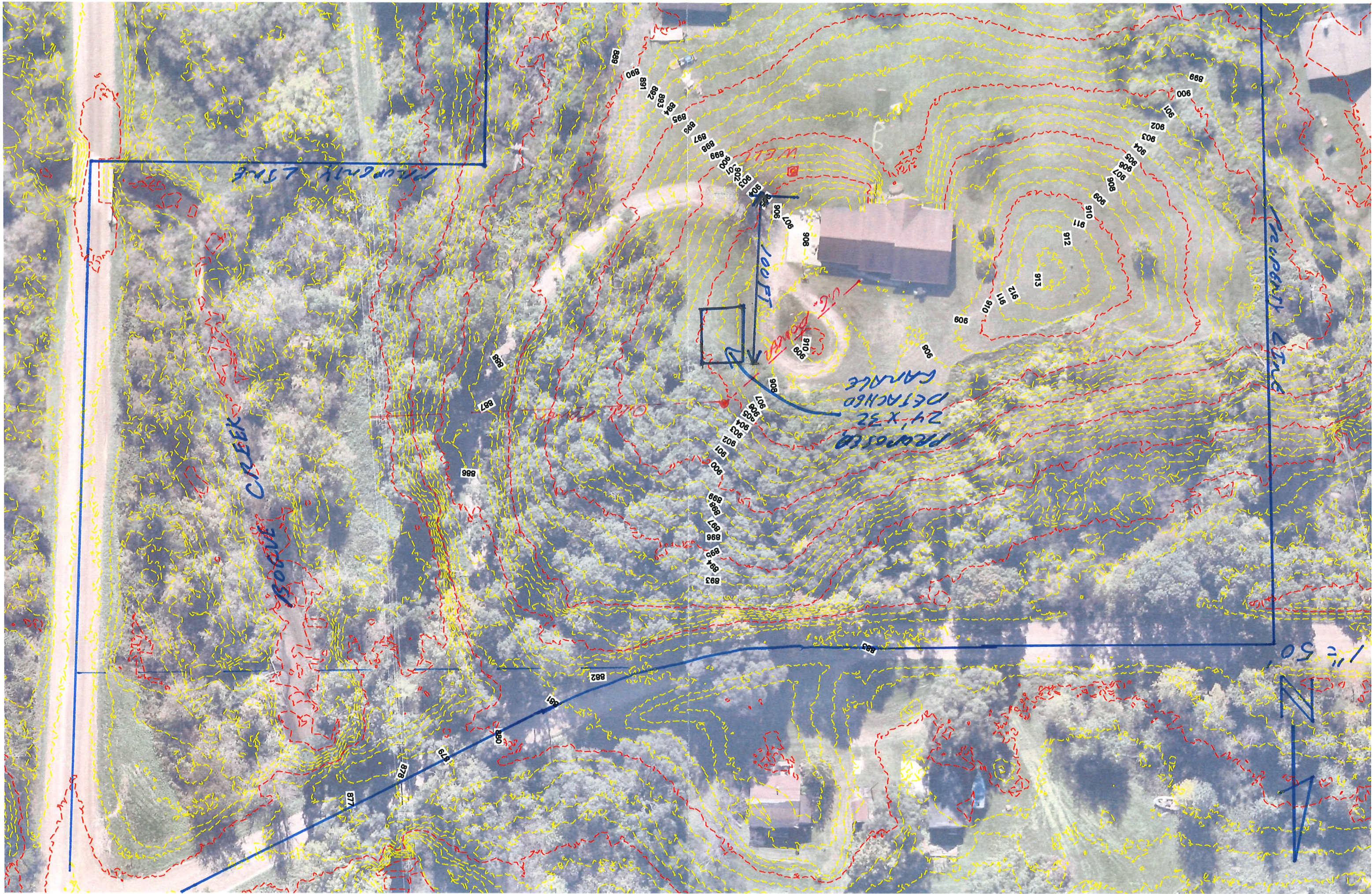
When recorded return to Grantees
 Send subsequent tax bills to Grantees

Tax Parcel # 06-12-400-417 (1995)

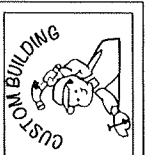
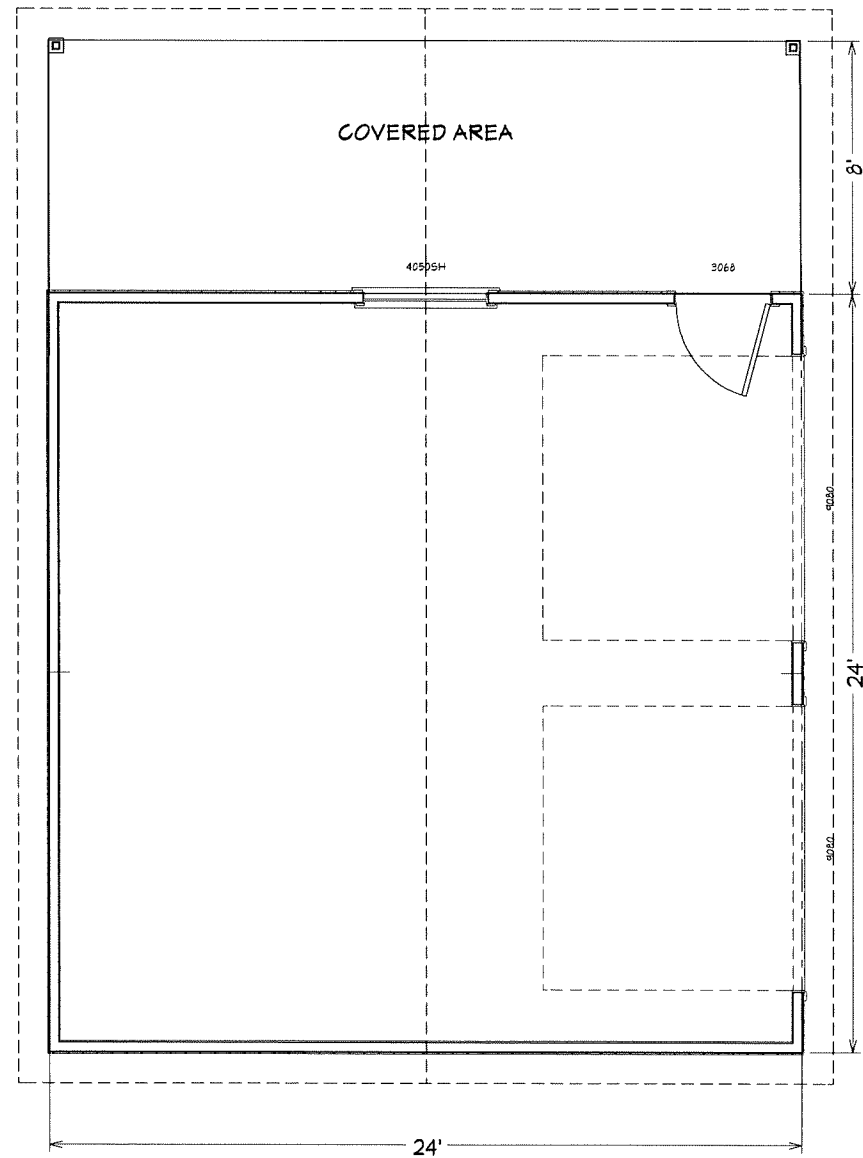
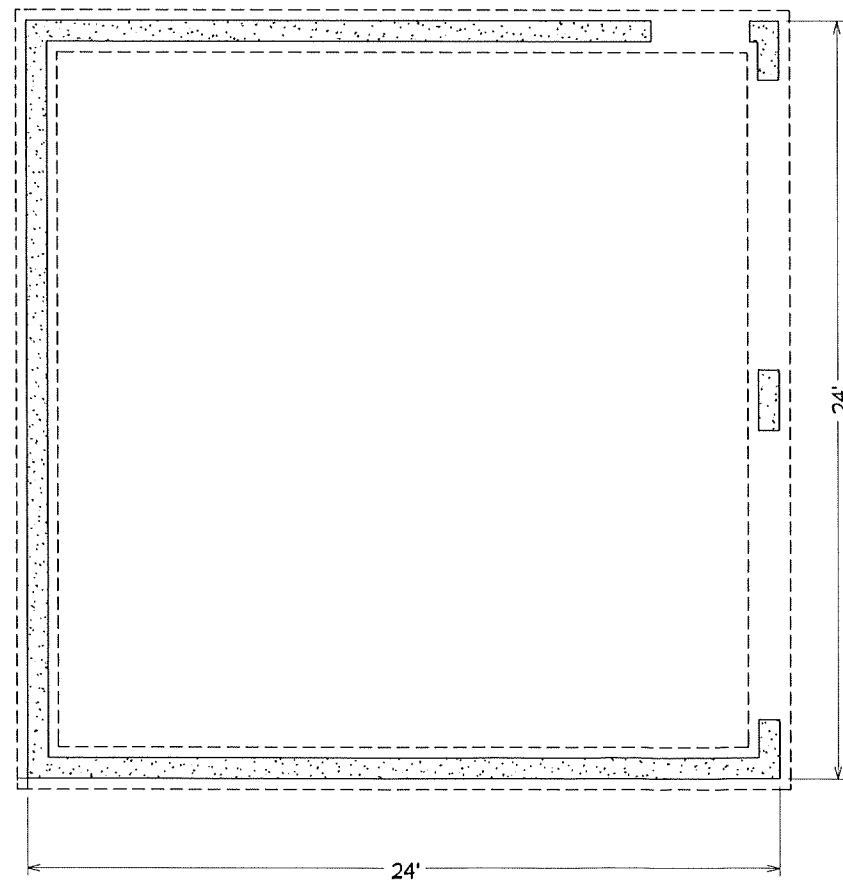
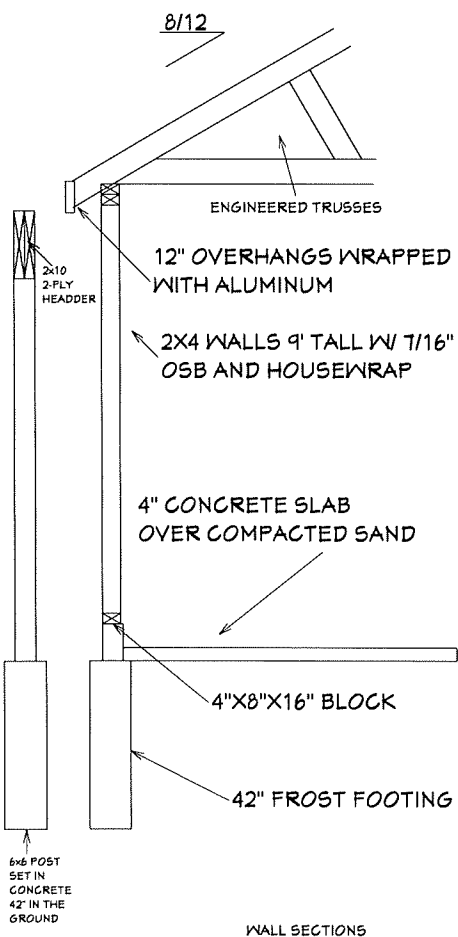
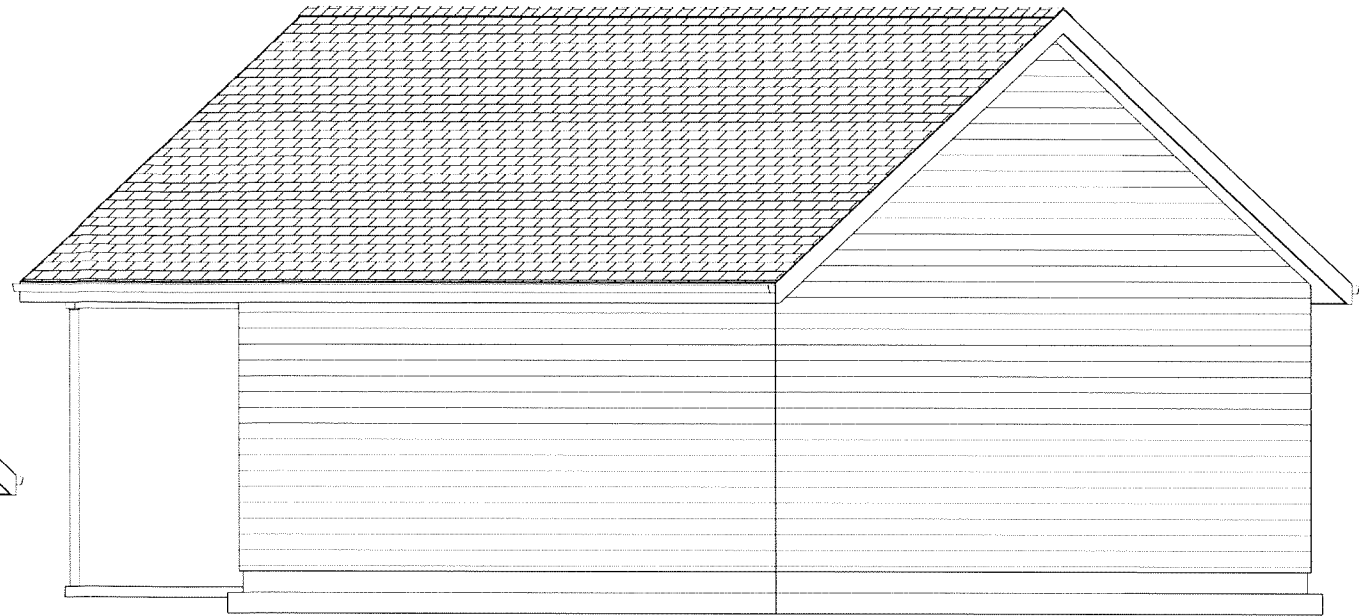
1945 REC0398

LEGAL DESCRIPTION

Part of the Southeast $\frac{1}{4}$ of Section 12, T3N-R4E, Howell Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Southeast Corner of said Section 12; thence along the East line of said Section 12 also being the Howell-Oceola Township line N 02°01'45" W, 849.77 feet to a point lying N 01°52'31" W, 849.65 feet (previously recorded as North 847 feet) along the centerline of Fisher Road (66 foot wide Right of Way) and N 88°57'02" W, 2.29 feet from said Southeast Section Corner; thence N 88°57'02" W, 269.84 feet (previously recorded as 272 feet); thence N 01°59'57" W, 381.51 feet (previously recorded as North) to the POINT OF BEGINNING of the Parcel to be described; thence N 89°05'05" E, 509.32 feet; thence N 02°17'24" W, 741.16 feet; thence along the centerline of Marr Road (66 foot wide Right of Way), S 89°05'05" E, 402.92 feet; thence N 87°40'05" E, 364.00 feet; thence along the centerline of said Fisher Road, S 02°23'50" W, 237.88 feet (previously recorded as S 03°50' W, 235.7 feet); thence S 88°42'55" W, 235.75 feet (previously recorded as West 236 feet); thence S 01°59'57" E, 514.43 feet (previously recorded as South) to the Point Of Beginning; containing 10.01 acres, more or less, and subject to the rights of the public over the existing Fisher Road and Marr Road. Also subject to any other easements or restrictions of record.



ELEVATIONS



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
ALL ITEMS

PROJECT DESCRIPTION:
STALEY GARAGE
1920 E. MARR RD.
HOWELL, MI 48855

DRAWINGS PROVIDED BY:
RUNYAN BROTHERS
CONSTRUCTION CO.
809 E. GRAND RIVER, SUITE C
HOWELL, MI 48843

DATE:

4/1/24

SCALE:

3/8" = 1'

SHEET:

A-1

