

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

3525 Byron Road  
Howell, MI 48855  
August 20, 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 May 21, 2024
6. Township Board Report:  
   Draft Minutes from July 8, 2024
7. Planning Commission Report:  
   Draft Minutes from July 23, 2024
9. Old Business:
10. New Business:  
    A. Public Hearing: Rebecca and Dustin Briscoe, PZBA-2024-04,  
       Parcel # 4706-08-400-017, 4201 N. Burkhart Rd. Howell, MI 48855  
       **Section 14.07 - Accessory Building Provisions**  
       **Request:** Applying for a variance from 14.07-G. to split the existing property  
       leaving the accessory buildings on the vacant lot with the intent to build a  
       house behind the accessory buildings requiring an eight-hundred fifty (850)  
       foot dimensional variance from 14.07-B.
11. Other Business:
12. Call to the Public:
13. Adjournment

**This meeting is open to all members of the public under Michigan’s Open Meetings Act.  
Persons with disabilities who need accommodations to participate in this meeting should contact the Township Clerk’s Office  
at 517-546-2817 at least two (2) business days prior to the meeting.**

HOWELL TOWNSHIP ZONING BOARD OF APPEALS

UNAPPROVED MINUTES: May 21<sup>st</sup> 2024

3525 BYRON RD. HOWELL TOWNSHIP HALL, HOWELL MI 48855 (517-546-2817)

**MEMBERS PRESENT:**

**MEMBERS ABSENT:**

Ken Frenger	Chairman
Carol Weaver	Vice Chair
Jim McEvoy	Secretary
Wayne Williams	PC – Rep.
Jeff Smith	Board Rep
Jonathan Hohenstein	Zoning Administrator

Ken Frenger called the meeting to order at 6:30 p.m. The roll was called.

**APPROVAL OF AGENDA:** MOTION by Smith seconded by McEvoy, “To approve the May 21,2024 Zoning Board of Appeals Agenda” Motion carried.

**APPROVAL OF MINUTES:** MOTION by Weaver, seconded by Williams, “To Approve the April 16,2024 Zoning Board of Appeals Minutes as Presented” Motion carried.

**TOWNSHIP BOARD REPORT:** Synopsis was given by Smith no questions. 2024-2025 budget by approved, Education budget to be discussed as separate item below

**PLANNING COMMISSION REPORT:** Williams reviewed the minutes from the planning commission meeting. No questions

**NEW BUSINESS:**

**PETITIONER:** Kevin Staley, File# PZBA-2024-03, PARCEL #4706-12-400-017, 1920 E Marr Rd., Howell MI, 48855 (full legal description available upon request).

**ARTICLE XIV – SUPPLEMENTAL REGULATIONS,  
SECTION 14.07 Accessory Building Provisions, Item B.**

**REQUEST:** 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.

Jeff Smith asked questions regarding location of septic field, avoidance of power lines, location of propane tank, if the property could be split. Kevin Staley stated, lot heavily wooded, building would not be visible from road, (members agreed), building would have aesthetic match to house with roof pitch, siding and trim match. Ken Frenger asked questions about the why in front of house, answer was only level area after discussion of elevation (886-910 approximate 24ft). All questions were answered in a satisfactory manner as this was the only location viable for the detached garage on parcel.

**Motion to approve File# PZBA-2024-03, PARCEL #4706-12-400-017, 1920 E Marr Rd., Howell MI, 48855**

Roll was called, Williams – Yes, Frenger – Yes, Weaver – Yes, McEvoy – Yes, Smith-Yes: Motion carried.

**OLD BUSINESS:**

**OTHER BUSINESS:** Discussion on education opportunities for ZBA members. The budget is \$1000. The time frame is July 1 through June 30<sup>th</sup>. Consensus was that MSU modules and potentially MSU books would be sufficient and fit within the existing budget.

**CALL TO THE PUBLIC:** No Response.

**ADJOURNMENT:** Meeting adjourned at 7:30 P.M.

Approved: \_\_\_\_\_

As Presented: \_\_\_\_\_

As Amended: \_\_\_\_\_

As Corrected: \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_

Jim McEvoy, Secretary

**DRAFT**

**HOWELL TOWNSHIP REGULAR BOARD  
MEETING MINUTES**  
3525 Byron Road Howell, MI 48855  
July 8, 2024  
6:30 P.M.

**MEMBERS PRESENT:**

Mike Coddington      Supervisor  
Sue Daus              Clerk  
Jonathan Hohenstein    Treasurer  
Matthew Counts        Trustee  
  
Harold Melton         Trustee  
Bob Wilson             Trustee

**MEMBERS ABSENT:**

Jeff Smith      Trustee

**Also in Attendance:**

Five people were in attendance.

Supervisor Coddington called the meeting to order at 6:30 p.m. The roll was called. Supervisor Coddington requested members rise for the Pledge of Allegiance.

**CALL TO THE BOARD:**

Treasurer Hohenstein requested to remove the closed session for Oakland Tactical.

**APPROVAL OF THE AGENDA:**

July 8, 2024

**Motion** by, Melton **Second** by, Hohenstein **“To approve the agenda as presented plus the omission of the closed session.”** Motion carried.

**APPROVAL OF BOARD MEETING MINUTES:**

June 10, 2024

REGULAR BOARD MEETING MINUTES

**Motion** by Melton, **Second** by Counts. **“To approve the meeting minutes as presented for the 10th.”** Motion carried, 1 dissent.

**CALL TO THE PUBLIC:**

Curt Hamilton, 1367 Crestwood Lane.: Spoke about Shiawassee River and EPA Report that is to be released by August, would like it added to a future Board agenda.

**UNFINISHED BUSINESS:**

A. Oakland Tactical v. Howell Township

Treasurer Hohenstein reported on the status of the Oakland Tactical v. Howell Township lawsuit. The closed session was removed from the agenda because Oakland Tactical had requested the entire Sixth Circuit Court review the case and the Court denied Oakland’s request. Oakland’s last option is to apply to the U.S. Supreme Court.

B. Spring Clean-Up Day Summary

Treasurer Hohenstein reported on Deputy Treasurer Murrish's summary of the spring clean-up day and requested next year's clean-up day to be May 17, 2025. It was the consensus of the Board to accept May 17, 2025 for the spring clean-up day.

C. Attorney Reviewed Agreement for Walking Path Maintenance

Treasurer Hohenstein discussed the agreement drafted by the Township attorney. **Motion** by Hohenstein, **Second** by Wilson, **"To approve the independent contractor agreement with Howell Township and Robert K. Wilson as presented."** Discussion followed. Mr. Wilson had submitted a sample insurance policy; Board members would like the Township attorney to review Mr. Wilson's actual insurance policy before it is approved. Roll call vote: Melton- yes, Daus-yes, Wilson-yes, Coddington-yes, Counts- no, Hohenstein- yes. Motion carried 5-1.

**NEW BUSINESS:**

A. Other Township Clean-Up Day Options - Discussion

Deputy Treasurer Murrish put together other possible items for a fall clean-up day event including electronic recycling, paper shredding, composting, and Red Barrel Day. Discussion followed. **Motion** by Hohenstein, **Second** by Counts, **"Move to accept fall event proposal as presented."** Motion carried.

B. Human Resources - Recommendations

Treasurer Hohenstein discussed the Human Resource Committee's recommendations for Township employee pay increases for 2024-2025; to use Social Security's cost of living adjustment plus 1% for an increase of 4.2%. Discussion followed. **Motion** by Hohenstein, **Second** by Melton. **"To accept human committee's recommendation for proposed 2024-2025 payroll increases for Township employees as presented."** Motion carried, 1 dissent.

C. Officer Salary – Discussion / Resolutions

Board discussed Township Officer salaries.

**Motion** by Melton, **Second** by Hohenstein **"To up it by 4.2%, resolution number 07.24.537."** Discussion followed. Roll call vote: Hohenstein- yes, Daus- yes, Counts- yes, Wilson- no, Coddington- yes, Melton-yes. Motion carried 5-1.

**Motion** by Hohenstein **"To accept Resolution 07.24.538 for a 4.2% increase for the Clerk."** Roll call vote: Daus-yes, Wilson-no, Coddington-yes, Melton- yes, Hohenstein- yes, Counts- yes. Motion carried 5-1.

**Motion** by Hohenstein, **Second** by Melton **"To accept Resolution 07.24.539 for a 4.2% increase as presented."** Roll call vote: Wilson- No, Melton- yes, Hohenstein- yes, Coddington- yes, Daus-yes, Counts-yes. Motion carried 5-1.

**Motion** by Hohenstein, **Second** by Daus **"To accept Resolution 07.24.540 for a 4.2% increase."** Roll call vote: Counts- yes, Coddington- yes, Hohenstein- yes, Melton- yes, Wilson- no, Daus-yes. Motion carried 5-1.

D. 2023-2024 Budget Amendments

Treasurer Hohenstein explained the budget amendments from Deputy Supervisor Kilpela. **Motion** by Counts, **Second** by Hohenstein, **"To accept budget amendments as presented."** Motion carried, 1 dissent.

**CALL TO THE PUBLIC:**

None

**REPORTS:**

- A. SUPERVISOR:  
Supervisor Coddington reported working with the County on the Shiawassee River situation
- B. TREASURER:  
Treasurer Hohenstein reported that summer tax bills have been mailed out
- C. CLERK:  
Clerk Daus reported that ballots have been sent out
- D. ZONING:  
See Zoning Administrator Hohenstein's report
- E. ASSESSING:  
See Assessor Kilpela's report
- F. FIRE AUTHORITY:  
Supervisor Coddington reported on the Fire Authority
- G. MHOG:  
Trustee Counts reported on MHOG
- H. PLANNING COMMISSION:  
See draft minutes
- I. ZONING BOARD OF APPEALS (ZBA):  
No report
- J. WWTP:  
Treasurer Hohenstein reported that the operators need a portable dissolved oxygen meter to help run the plant. **Motion** by Melton, **Second** by Hohenstein **"To approve the cost of the portable dissolved oxygen meter for \$2,343.00."** Motion carried.
- H. HAPRA:  
Clerk Daus reported on the Rec on the Go Van and focusing on the millage
- I. PROPERTY COMMITTEE:  
No report
- J. PARK & RECREATION COMMITTEE:  
No report

**DISBURSEMENTS: REGULAR PAYMENTS AND CHECK REGISTER:**

**Motion** by Hohenstein, **Second** by Melton, **“To accept the disbursements as presented and any normal and customary payments for the month.”** Motion carried.

**ADJOURNMENT:** **Motion** by Counts **Second** by Daus, **“To adjourn.”** Motion carried. The meeting was adjourned at 7:03 pm.

\_\_\_\_\_  
Sue Daus, Howell Township Clerk

\_\_\_\_\_  
Mike Coddington, Howell Township Supervisor

\_\_\_\_\_  
Marnie Hebert, Recording Secretary

DRAFT

**HOWELL TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING MINUTES**

3525 Byron Road Howell, MI 48855

July 23, 2024

6:30 P.M.

**MEMBERS PRESENT:**

Wayne Williams	Chair
Robert Spaulding	Vice Chair
Mike Newstead	Secretary
Matthew Counts	Board Rep.
Paul Pominville	Commissioner
Tim Boal	Commissioner
Chuck Frantjeskos	Commissioner

**MEMBERS ABSENT:****Also in Attendance:**

Township Planner Paul Montagno, Zoning Administrator Jonathan Hohenstein

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

**APPROVAL OF THE AGENDA:**

**Motion** by Counts, **Second** by Newstead, “**To approve.**” Motion carried.

**APPROVAL OF THE MEETING MINUTES:**

June 25, 2024

Commissioner Counts requested correction to members present to include himself and remove Board Representative Alternate Bob Wilson.

**Motion** by Spaulding, **Second** by Pominville, “**The approval of the June 25<sup>th</sup> Planning Commission minutes with the note stating that Mr. Counts was here instead of Mr. Wilson.**” Motion carried.

**ZONING BOARD OF APPEALS REPORT:**

None

**TOWNSHIP BOARD REPORT:**

Draft minutes are included in the packet. Commissioner Frantjeskos had a question regarding the Oakland Tactical lawsuit.

**SCHEDULED PUBLIC HEARINGS:**

None.

**OTHER MATTERS TO BE REVIEWED BY THE PLANNING COMMISSION:**

None.

**OLD BUSINESS:**

Chairman Williams inquired on the previous ordinance discussions for storage containers and ADUs.



**NEW BUSINESS:**

A. Preliminary Site Plan Review – Cornerstone Group 4706-28-301-034

Planner Montagno gave an overview of the site plan from Cornerstone Group. Clarification is needed from the applicant on the use of this project, the plan states self-storage units, Township staff had been told they were to be leased to contractors. Neither of these uses is permitted in the Industrial Zoning District. Other small items are addressed in the Planner’s report. Applicant Jim Witkowski clarified that two of the buildings are leased multi-tenant for manufacturing industrial use and the third building is to be leased warehousing space. Commissioner Pominville inquired as to how applicant will distinguish between storage and manufacturing and contractors. Commissioner Boal indicated that he had met with Mr. Witkowski at a separate unrelated event. Commissioner Boal inquired about the unregulated wetland discussed in the Planner’s report. Commissioner Spaulding spoke about his concern that these units would become used for self-storage. Commissioner Newstead inquired about ownership staff being on-site and how much oversight ownership will provide. Commissioner Spaulding inquired about REUs and capacity at the site and it was discussed that the Township does not have an IPP and only normal sewage is to go into the sewer, all process and cooling water needs to be collected and hauled away.

**Motion** by Newstead, **Second** by Frantjeskos, **“For preliminary site plan approval Cornerstone Group 4706-28-301-034 contingent on all items listed in the Planner’s report dated July 17, 2024, the Engineer’s report dated July 12, 2024, and the Fire report dated July 11, 2024.** Motion carried.

**CALL TO THE PUBLIC:**

None.

**ADJOURNMENT:**

**Motion** by Spaulding, **Second** by Newstead, **“To adjourn.”** Motion carried. The meeting was adjourned at 7:15 p.m.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mike Newstead  
Planning Commission Secretary

\_\_\_\_\_  
Jonathan Hohenstein  
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- 2024-04 Parcel ID: 4706- 08 - 400 - 017 Date 7/12/24

Residential Request, Fee \$400.00

Commercial Request, Fee \$900.00

Owner Name Rebecca & Dustin Briscoe Owner Address 4201 N Burkhardt Rd  
 Applicant Name Rebecca & Dustin Briscoe Applicant Address 4201 N Burkhardt Rd  
 Contact Person for all Correspondence Rebecca Briscoe  
 Address 4201 N Burkhardt Rd Howell, MI 48855  
 Phone 505-414-2718 Fax \_\_\_\_\_ Email briscoe.becky@gmail.com

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 Burkhardt & Marr  
 Between Roads Marr & Warner  
 Please attach a copy of the legal description of property to the application.  
 Current Zoning Classification Agricultural Residential

Details of your request and reasons why the request should be granted:  
 We would like to sell the old farmhouse on the property with an acre surrounding it. With our remaining 17 acres, we would like to build a new house for our family. Our property includes 2 barns: one from the 1800s and one from the 1940s. We would like to keep these barns on the family property. They are located near the road, so any house we build would need to be behind them.

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 RB	
Is this a request for a dimensional variance?	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> NB RB
Is this a request for a use variance?	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> NB RB
State the minimal acceptable variance being requested	850 feet	
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.	RB	DB
The practical difficulties or unnecessary hardship in the strict application of the ordinance was not created or caused by the Applicant.	RB	DB
The Zoning Board of Appeals cannot grant a variance for a use that is not permissible in the designated zoning district.	RB	DB
The Zoning Board of Appeals has the right to prescribe conditions and safeguards for any variance granted.	RB	DB
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.	RB	DB
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.	RB	DB
Applicant acknowledges he has read and understands Article XXII entitled "Zoning Board of Appeals."	RB	DB
Applicant grants permission to all ZBA members access to the property to view all relevant areas pertaining to the request.	RB	DB

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.

 Rebecca L. Briscoe

Owner's Signature

 Dustin Briscoe

Applicant's Signature

Dustin Briscoe Rebecca L. Briscoe

Print Name

07/12/24

Date

Subscribed and sworn to before me this

12 day of July 2024

Daniel Fenrich

Notary Public

Daniel Fenrich

Printed Name

Oakland County, Michigan

My Commission expires: 10/16/2026

DANIEL FENRICH  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF OAKLAND  
My Commission Expires 10/16/2026  
Acting in the County of Livingson

Dustin Briscoe Rebecca L. Briscoe

Print Name

07/12/24

Date

Subscribed and sworn to before me this

12 day of July 2024

Daniel Fenrich

Notary Public

Daniel Fenrich

Printed Name

Oakland County, Michigan

My Commission expires: 10/16/2026

DANIEL FENRICH  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF OAKLAND  
My Commission Expires 10/16/2026  
Acting in the County of Livingson



Last edit was 2 minutes ago

◆ Add layer + Share Preview

× 4201 North Burkhardt Road, Howell...

📍 4201 N Burkhardt Rd

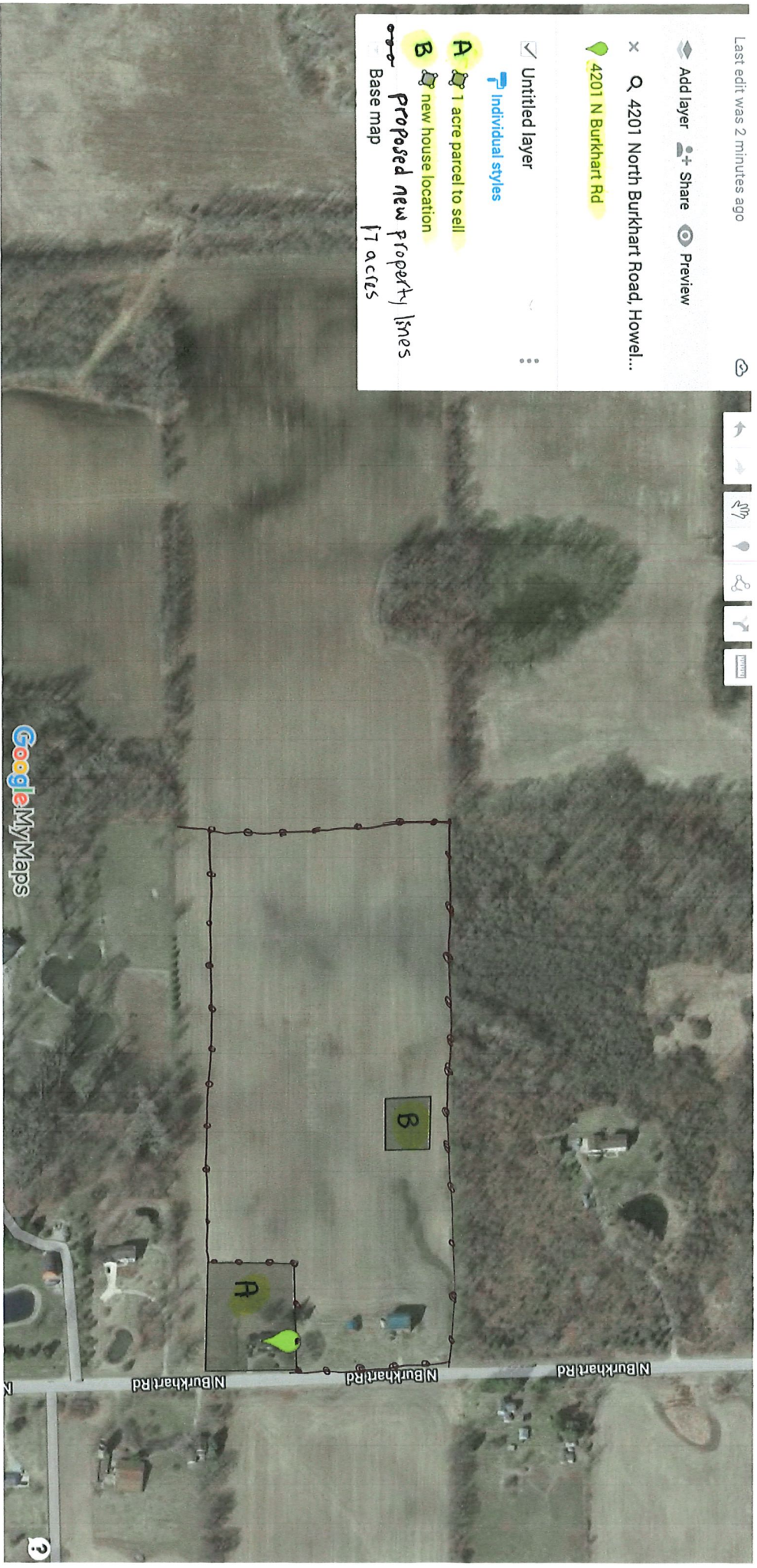
☑ Untitled layer

📄 Individual styles

**A** 🏠 1 acre parcel to sell

**B** 🏠 new house location

*Proposed new property lines*  
Base map | 7 acres



Google My Maps



Parcel Number: 4706-08-400-017

Jurisdiction: HOWELL TOWNSHIP

County: LIVINGSTON

Printed on

10/06/2021

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Proct. Trans.
MARR FAMILY EBM LLC	BRISCOE MARK AND JENNIFER	425,500	08/09/2021	WD	03-ARM'S LENGTH	2021R-035235	PROPERTY TRANSFER	100.0

Property Address	Class: RESIDENTIAL-IMPROV Zoning: AR	Building Permitt(s)	Date	Number	Status
4201 N BURKHART	School: HOWELL PUBLIC SCHOOLS	REEROOF	11/12/2009	4605	CLOSED
Owner's Name/Address	P.R.E. 0%				
BRISCOE MARK AND JENNIFER 4153 N BURKHART ROAD HOWELL MI 48855	MAP:				

Tax Description	2022 Est TCV Tentative	Land Value Estimates for Land Table 401 A. RESIDENTIAL LAND VALUES
SEC. 8 T3N, R4E, COMM AT SE COR OF SEC 8; TH ALG C/L OF BURKHART RD AND E LINE OF SEC 8 N02°10'06"W 730.23 FT TO POB. TH S89°08'06"W 1310.00 FT; TH N02°10'06"W 599.02 FT; TH N 89°10'16"E 1310.02 FT; TH S02°10'06"E 598.19 FT TO POB CONT 18.00 AC M/L SUBJECT TO ANY RESTRICTIONS OR EASEMENTS OF RECORD SPLIT ON 10/06/2021 INTO 4706-08-400-017, 4706-08-400-018, 4706-08-400-019;	Public Improvements	Description Frontage Depth Front Depth Rate & Adj. Reason Value

X	Improved	Vacant	18.00 Acres	7000	100	Total Est. Land Value =	126,000
X	Gravel Road		18.00 Acres				126,000
X	Paved Road						
X	Storm Sewer						
X	Sidewalk						
X	Water						
X	Sewer						
X	Electric						
X	Gas						
X	Curb						
X	Street Lights						
X	Standard Utilities						
X	Underground Utills.						

Topography of Site	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value		
X Level	2022	Tentative	Tentative	Tentative			Tentative		
Rolling	2021	0	0	0			0		
Low	2020	0	0	0			0		
High	2019	0	0	0			0		
Landscaped									
Swamp									
Wooded									
Pond									
Waterfront									
Ravine									
Wetland									
Flood Plain									
Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
CAM	09/24/2020	RECORD CAR	2021	0	0	0			0
JD	05/23/2013	ON-SITE RE	2020	0	0	0			0



05202020  
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Howell, County of Livingston, Michigan

\*\*\* Information herein deemed reliable but not guaranteed\*\*\*

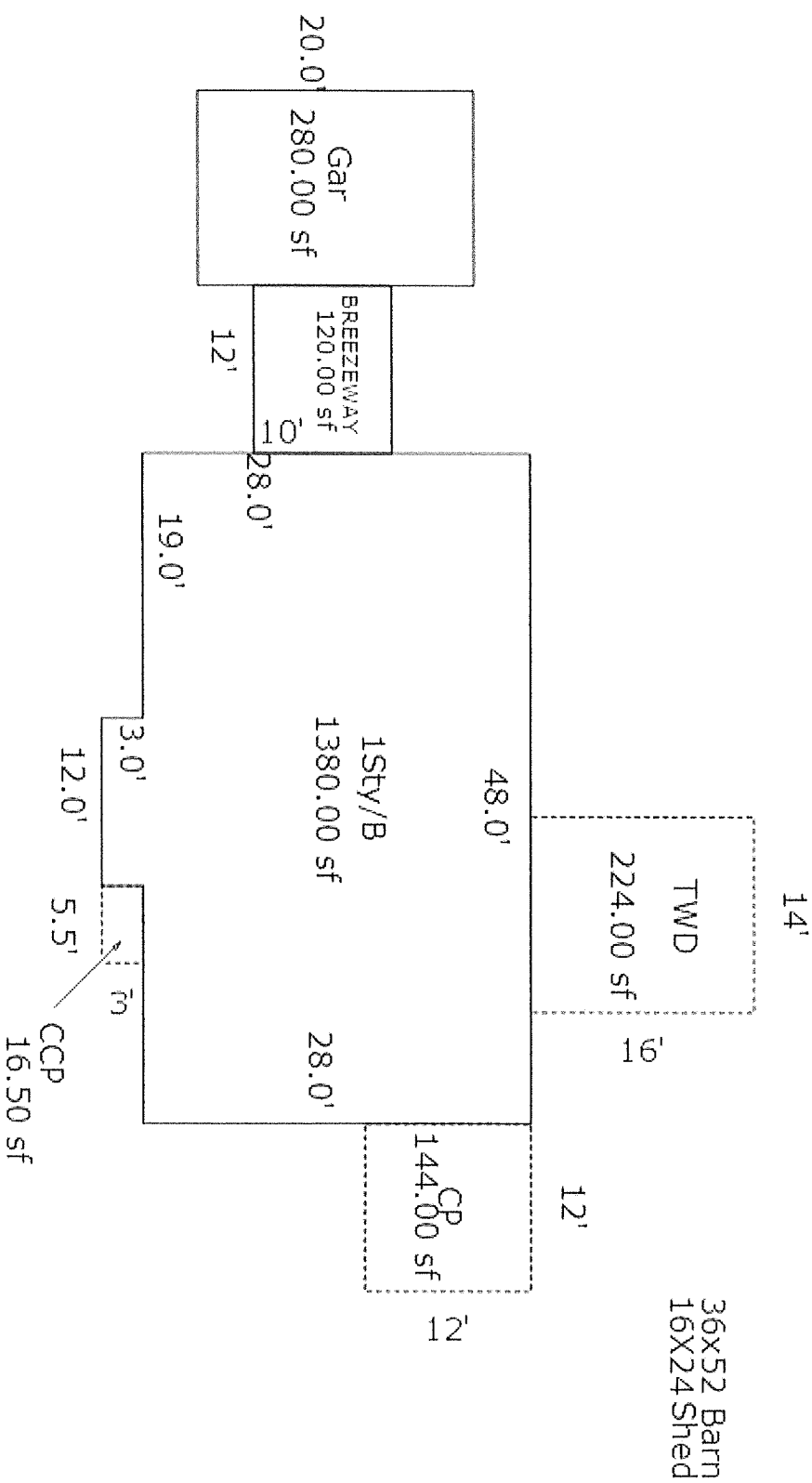
Building Type	(3) Roof (cont.)	(11) Heating/Cooling	(15) Built-ins	(15) Fireplaces	(16) Porches/Decks	(17) Garage
X Single Family Mobile Home Town Home Duplex A-Frame	Eavestrough Insulation 0 Front Overhang 0 Other Overhang	Gas Wood Oil Coal Elec. Steam	Appliance Allow. Cook Top 1 Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Gas	Area Type 144 4In Concrete 16 CCP (1 Story) 224 Treated Wood 120 Brzwy, FW	Year Built: 1947 Car Capacity: Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1/2 Wall Foundation: 42 Inch Finished ?: Auto. Doors: 1 Mech. Doors: 0 Area: 280 & Good: 0 Storage Area: 0 No Conc. Floor: 0
X Wood Frame	(4) Interior Drywall Paneled Plaster Wood T&G	Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Cell. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling	Central Air Wood Furnace	Class: C Effec. Age: 38 Floor Area: 1,380 Total Base New: 225,137 Total Depr Cost: 139,586 Estimated T.C.V: 137,073		Bsmnt Garage: Carport Area: Roof:
Building Style: 1 STORY	Trim & Decoration Ex X Ord Min	Size of Closets Lg X Ord Small	Cost Est. for Res. Bldg: 1 (11) Heating System: Forced Heat & Cool Ground Area = 1380 SF Floor Area = 1380 SF. Phy/Ab. Phy/Func/Econ/Comb. % Good=62/100/100/100/62			
Condition: Average	Doors: Solid X H.C.					
Room List	(5) Floors Kitchen: Tile Other: Carpeted Other: Carpeted					
Basement 1st Floor 2nd Floor 3 Bedrooms	(6) Ceilings	No./Qual. of Fixtures Ex. X Ord. Min	Exterior Siding Foundation Basement	Size 1,380 Total:	Cost New 181,218 Total:	Depr. Cost 112,357
(1) Exterior Wood/Shingle Aluminum/Vinyl Brick	(7) Excavation Basement: 1380 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0	(12) Electric 100 Amps Service	Other Additions/Adjustments Water/Sewer 1000 Gal Septic Water Well, 200 Feet Deck Treated Wood Garages Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Base Cost Common Wall: 1/2 Wall Door Opener Built-Ins Dishwasher Vented Hood Porches CCP (1 Story) 4In Concrete Breezeways Frame Wall Lump Sum Items DAYLIGHT WINDOWS			
Insulation	(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor					
(2) Windows Many Avg. Few	(9) Basement Finish Recreation SF Living SF Walkout Doors No Floor SF					
X Wood Sash Metal Sash Vinyl Sash	(10) Floor Support Joists: Unsuported Len: Cntr.Sup:					
X Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens						
(3) Roof Gable						
X Gable Hip Flat						
X Asphalt Shingle						
Chimney: Brick						

\*\*\* Information herein deemed reliable but not guaranteed\*\*\*

<<<<<< Calculations too long. See Valuation printout for complete pricing. >>>>>>

Totals: 225,137 139,586 1,897

*Existing House (Parcel A)*



\*\*\* Information herein deemed reliable but not guaranteed\*\*\*



Building Type	Barn - General Purpose	Milk Houses		
Year Built				
Class/Construction	D, Frame	C		
Quality/Exterior	Average	Average		
# of Walls, Perimeter	4 Wall, 176	4 Wall, 40		
Height	10	10		
Heating System	No Heating/Cooling	No Heating/Cooling		
Length/Width/Area	52 x 36 = 1872	10 x 10 = 100		
Cost New	\$ 55,224	\$ 10,447		
Phy./Func./Econ. %Good	45/100/100 45.0	78/100/100 78.0		
Depreciated Cost	\$ 24,851	\$ 8,149		
+ Unit-In-Place Items	\$ 0	\$ 0		
Description, Size X Rate X %Good = Cost				
Itemized ->				
Unit-In-Place ->				
Items ->				
E.C.F.	X 1.000	X 1.000		
% Good	45	78		
Est. True Cash Value	\$ 24,851	\$ 8,149		
Comments:				
Total Estimated True Cash Value of Agricultural Improvements / This Card: 33000 / All Cards: 33000				

\*\*\* Information herein deemed reliable but not guaranteed\*\*\*



Proposed build (Parcel B)

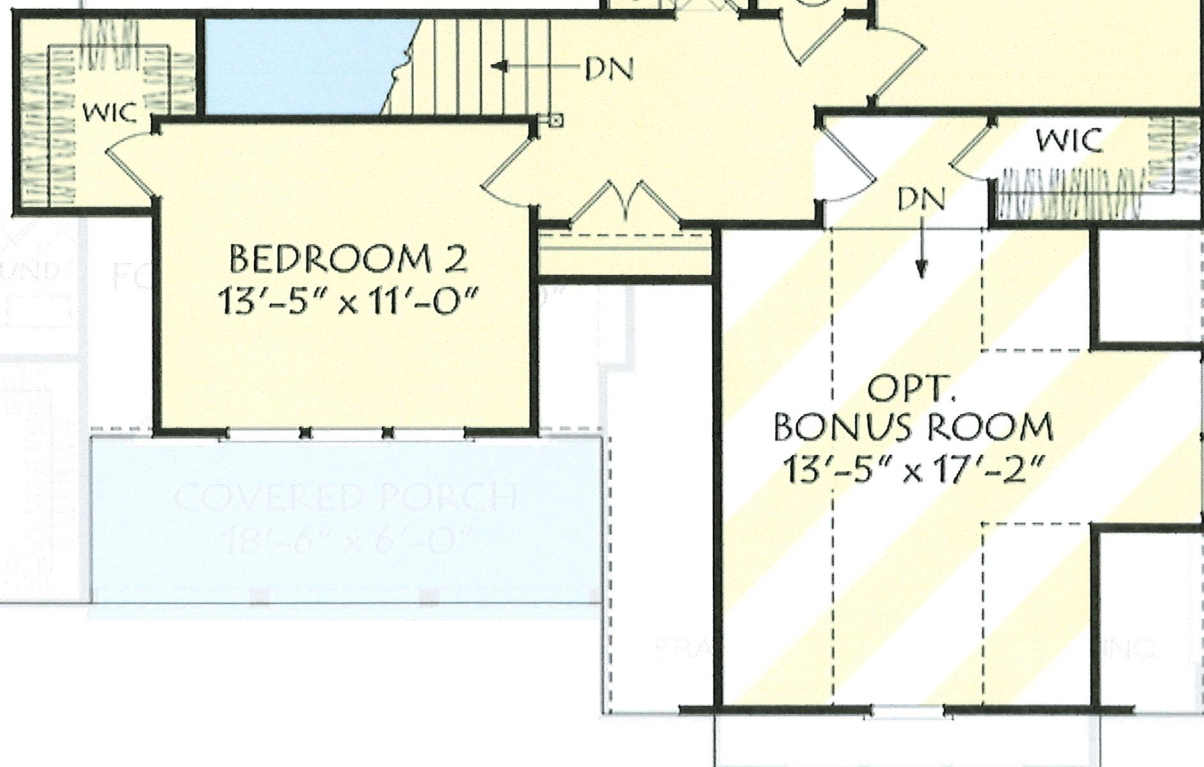


Copyright ©  
Frank Betz Associates









CERTIFIED  
TRUE COPY

## WARRANTY DEED



File No. LIB163993

The Grantor(s): Mark Briscoe and Jennifer Briscoe, husband and wife  
whose address is: 4201 W. Burkhart Rd., Howell, MI 48855

Convey and Warrant to: Dustin Briscoe and Rebecca Briscoe, husband and wife  
whose address is: 3022 Stillriver Dr., Howell, MI 48843

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

### SEE ATTACHED EXHIBIT A/LEGAL DESCRIPTION RIDER

for the full consideration of: \$260,000.00 (Two Hundred Sixty Thousand Dollars and No Cents)

Subject to: Existing building and use restrictions and easements and rights of way of record. Liens for any tax and/or assessment which become due and payable on or after the effective date hereof.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act.

The grantor grants to the grantee the right to make \_\_\_ divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967.

This Conveyance is exempt from State Transfer Tax pursuant to MCL 207.526 (j).


Dated 12, 3, 21

# WARRANTY DEED

(Continued)

(Attached to and becoming part of the Warranty Deed between Mark Briscoe and Jennifer Briscoe, husband and wife, as Grantor(s) and Dustin Briscoe and Rebecca Briscoe, husband and wife, as Grantee(s))

Signed By:

  
\_\_\_\_\_  
Mark Briscoe

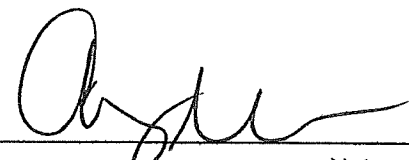
  
\_\_\_\_\_  
Jennifer Briscoe

STATE OF  
COUNTY OF

MICHIGAN  
LIVINGSTON

The foregoing instrument was acknowledged before me this 3 day of Dec, 2021 by Mark Briscoe and Jennifer Briscoe, husband and wife.

AMY INNES  
Notary Public, State of Michigan  
County of Livingston  
My Commission Expires 09-30-2023  
Acting in the County of LIVINGSTON

  
\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County  
My Commission Expires: \_\_\_\_\_  
Acting in the County of: \_\_\_\_\_

Drafted by: Thomas D. Richardson, Esq.  
111 N. Main St.  
Ann Arbor, MI 48104

When recorded return to: Dustin Briscoe and Rebecca  
Briscoe  
4201 N Burkhart Rd.  
Howell, MI 48855

Tax Code: 4706-08-400-017, 4706-08-400-002 (OLD)

**Howell Township  
Zoning Board of Appeals  
Variance Request Staff Report**

July 17, 2024

Applicant: Rebecca and Dustin Briscoe  
Property: 4706-08-400-017

Parcel 4706-08-400-017 is an 18-acre site situated at the northern end of the Township on N. Burkhart Road in the AR Zoning District. Applicant has submitted a request for a variance to allow a split of the property into 1 1-acre site with the existing residential building and 1 17-acre site with two accessory structures, see attached overhead image. The applicant has indicated that they intend to build a house on the 17-acre parcel.

A survey has not been submitted as part of this application so it is not currently known if the split will meet the Township's ordinances and split policy. If the ZBA approves the variances any split would otherwise be required to meet the Township's ordinances and split policy.

There are two variances needed to allow the split as requested. The first variance is for section 14.07-G, as accessory buildings are not allowed on vacant land and is required until the new house construction is started. The second variance is for section 14.07-B as the split would place the existing barns in front of the proposed house.

Respectfully submitted,  
Jonathan Hohenstein



06-08-400-015

06-08-400-015

06-08-400-016

06-08-400-017

06-08-400-018

06-08-400-018

06-08-400-019

03/25/2024

06-08-400-016

© All EagleView Technology Corporation

North Bu Knail Road



ARTICLE XIV

**Section 14.06 LIMITATIONS OF STRUCTURES UPON LOTS OR PARCELS.**

There shall be no more than one (1) principal building or structure located on a lot or parcel except in accordance with Section 14.33 of this Zoning Ordinance. See Sections 3.07 D. and G.

(Ord. No. 1 eff. Jan. 8, 1983 amend. by Ord. eff. May 7, 1992)

**Section 14.07 ACCESSORY BUILDING PROVISIONS.**

Accessory buildings, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

- A. Any structure having two-hundred (200) square feet or less of internal floor area, which is used for any purpose other than the housing of humans, but is primarily to be use for the housing of non human purpose such as pets, yard equipment, yard maintenance supplies, tools, toys, including motorized or non motorized bicycles and types of household equipment, and which buildings do not have to meet the requirements of the Livingston County Construction Code and will not be built on a structural foundation as required in the Construction Code for other types of buildings, shall be excluded from the requirements of this Section and any required zoning permits and payment of fees required under other provisions of this Ordinance.

(Ord. No. 1 eff. Jan. 8, 1983; amend by Ord. 249, eff. Nov. 25, 2011)

- B. Detached accessory buildings shall be located entirely in the rear yard outside of the side and rear setback, unless said building is being constructed pursuant to a Special Use Permit, and in that case, the Township Board after receiving the recommendation of the Planning Commission may authorize the location of the accessory building in any required yard. In no instance shall an accessory building be located within a dedicated easement right-of-way.

- C. Accessory buildings located on lots and parcels in all Zoning Districts shall be subject to the following regulations:

LOT OR PARCEL AREA REGULATION	REGULATION	MAXIMUM SQUARE FOOTAGE*
12,000 sq. ft. to 0.9 acre	4% of lot area	800 sq. ft
1 acre to 1.9 acres	4% of lot area	2000 sq. ft.
2 acre to under 19.9 acres	4% of lot area, except that commercial agricultural farm operations shall be excluded from this regulation	3000 sq. ft.
20 acres and above	No limit	No limit

- D. No detached accessory building – shall be located closer than ten (10) feet to any main building.

- E. No detached accessory building in AR, SFR, MFR, NSC, OS Districts shall exceed one (1) story or twenty (20) feet in height. Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in said districts. Height shall

be measured in accordance with Article II Definition 24.

- F. When accessory buildings or structures are located on a corner lot, they shall not be located in any front yard or side yard, but if it is determined by the Zoning Administrator that there is insufficient rear yard in which to locate them, the Zoning Administrator shall determine the most appropriate location for them in the side yard with minimum encroachment upon the required side yard setback area.
- G. In no instance shall an accessory building be allowed until there is a principal building or structure located on the lot or parcel of land.
- H. No accessory building or structure shall be used as a dwelling, lodging or sleeping quarters for human beings, except as otherwise permitted in this Ordinance.

(Ord. No. 1 eff. Jan. 8, 1983; Amend. by Ord. No. 8 eff. Dec. 7, 1983; further amend. by Ord. No. 12 eff. Sept. 5, 1986; Ord. No. 20 eff. Feb. 8, 1989; Ord. No. 82 eff. Apr. 5, 1999; Ord. No. 97 eff. Feb. 23, 2000; Ord. 249, eff. Dec. 23, 2012)

**Section 14.08 USE OF YARD SPACES AROUND DWELLINGS.**

No required yard surrounding a dwelling, building or structure utilized for dwelling purposes shall be employed, occupied or obstructed by accessory buildings or structures, either permanently or temporarily, provided however, that a side or rear yard may be used for the parking of not more than five (5) passenger automobiles in active service, but not for the storage of trucks, or for the location, parking, disposition, storage, deposit, or dismantling in whole or in part of junked vehicles, machinery, second-hand building materials, or other discarded, disused or rubbish-like materials or structures, except as otherwise provided in this Zoning Ordinance. See Section 14.24.

(Ord. No. 1 eff. Jan. 8, 1983)

**Section 14.09 LOT-BUILDING RELATIONSHIP.**

Every building erected, altered, or moved shall be located on a lot as defined herein, and there shall be no more than one (1) principal building and its permitted accessory structure located on each lot. Any proposed divisions of individual building sites shall conform to the requirements of this Ordinance for minimum width, area, and building setback requirements and shall be approved by the Zoning Administrator. In the event of any proposed relocation of boundaries of any building site or sites, such relocation shall comply with all setback requirements of this Ordinance for the district in which the project is located and shall be approved by the Zoning Administrator.

(Ord. No. 1 eff. Jan. 8, 1983; amend. by Ord. No. 97 eff. Feb. 23, 2000)

**Section 14.10 ACCESSORY BUILDING AS DWELLING.**

No building or structure on the same lot with a principal building shall be used for dwelling purposes, except as specifically permitted in this Ordinance.

(Ord. No. 1 eff. Jan. 8, 1983)

**Section 22.07 VARIANCES.**

A variance from the terms of this Ordinance shall not be granted by the Board of Appeals unless and until:

- A. A written application for a variance is submitted, demonstrating:
  - 1) That special conditions and circumstances exist which are peculiar to the land use, land, structure or building in the same zoning district.
  - 2) That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the provisions of this Ordinance.
  - 3) That granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Ordinance to other lands, structures, or buildings in the same zoning district.
  - 4) That no nonconforming uses of other lands, structures, or buildings in the same zoning district, and not permitted use of lands, structures or buildings in other zoning districts, shall be considered grounds for the issuance of a variance.
  - 5) Applicants shall also follow the outline of requirements prescribed by the Zoning Board of Appeals when applying for an appeal for an interpretation of or a variance from the provisions or requirements of this Zoning Ordinance.
- B. The Board of Appeals shall make findings that the requirements of this Ordinance have been met in the zoning district in which it is located by the applicant for the variance requested.
- C. The Board of Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance, and the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure in the zoning district in which it is located.
- D. The Board of Appeals shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious or otherwise detrimental to the public welfare of the zoning district in which it is to be located.
- E. In granting any variance, the Board of Appeals may prescribe appropriate conditions and safeguards in order for the variance to be in conformance with this Ordinance as much as reasonably possible. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance, and punishable under Section 21.06 of this Ordinance.
- F. Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the zoning district in which the variance is to be located.

(Ord. No. 1 eff. Jan. 8, 1983; amend. by Ord. No. 97 eff. Feb. 23, 2000)