

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

3525 Byron Road  
Howell, MI 48855  
January 21, 2025  
6:30 pm

1. Call to Order
2. Roll Call:     ( ) Ken Frenger - Chair  
                  ( ) Carol Weaver – Vice Chair  
                  ( ) Jim McEvoy – Secretary  
                  ( ) Matt Counts – Board Rep.  
                  ( ) Wayne Williams – P.C. Rep.
3. Pledge of Allegiance
4. Approval of the Agenda:
5. Approval of the Minutes:  
Regular Meeting September 17, 2024
6. Township Board Report:  
Draft December 9, 2024 Regular Meeting Minutes
7. Planning Commission Report:  
Draft December 17, 2024 Regular Meeting Minutes
8. Old Business:
9. New Business:  
A. Public Hearing: Trenton Whitaker, PZBA2024-07,  
Parcel #: 4706-13-302-063, 3072 Hill Hollow Ln. Howell, MI 48855.  
**Section 6.06 F - Single Family Residential**  
**Section 14.18 – Supplemental Regulations**  
**Request:** 15-foot variance to the rear lot line and a 5-foot dimensional variance to the side lot  
line to allow a pool to be constructed within the property setbacks.
10. Other Business:
11. Call to the Public:
12. 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.**

**Public Hearings.** All public hearings must be held as part of a regular or special meeting of the Zoning Board of Appeals. The following rules of procedure shall apply to public hearings held by the Zoning Board of Appeals:

1. Chairperson opens the public hearing and announces the subject.
2. Chairperson summarizes the procedures/rules to be followed during the hearing.
3. Applicant presents the main points of the application.
4. Persons having comments on the application are recognized.
5. Chairperson closes the public hearing and returns to the regular/special meeting.
6. Township consultants (if any) present their report and recommendation.
7. Zoning Board members begin deliberations and arrive at a decision.

To ensure everyone has the opportunity to speak, the Chairperson may elect to limit the time permitted for each person to speak, except that the applicant may be permitted additional time as the Chairperson allows. The Chairperson may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the Chairperson, in his/her discretion, may permit additional comments.

All comments by the public, staff, and the Zoning Board shall be directed to the Chairperson. All comments shall be related to the request; unrelated comments shall be ruled out of order.

A written notice containing the decision of the Zoning Board of Appeals will be sent to petitioners and originators of the request.

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# HOWELL TOWNSHIP ZONING BOARD OF APPEALS

UNAPPROVED MINUTES: SEPTEMBER 17<sup>TH</sup> 2024  
3525 BYRON RD. HOWELL, MI 48855 (517-546-2817)

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**MEMBERS PRESENT:**

Ken Frenger	Chairman
Carol Weaver	Vice Chair
Jim McEvoy	Secretary
Jeff Smith	Board Rep

**MEMBERS ABSENT:**

Wayne Williams PC- Rep.

## Also Present:

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 Weaver, “To Approve the September 17, 2024 Zoning Board of Appeals Agenda” Motion carried.

**APPROVAL OF MINUTES:** MOTION by Frenger, seconded by Weaver, “To Approve the August 20, 2024 Zoning Board of Appeals Minutes as Presented” Motion carried.

**TOWNSHIP BOARD REPORT:** Synopsis was given by Smith no questions.

**PLANNING COMMISSION REPORT:** Williams Absent no report

**NEW BUSINESS:**

**A. Public Hearing: Brandon Sacker, PZBA2024-05,  
Parcel #: 4706-13-300-003, 3300 Oak Grove Rd. Howell, MI 48855.  
Section 14.07-B Accessory Building Provisions  
Request: 50-foot variance to allow accessory building to be located in front  
of the rear line of the house.**

Staff Report: Jonathan Hohenstein

Parcel 4706-13-300-003 is a 1.190-acre site situated at the northern end of the Township on Oak Grove Road in the Single Family Residential (SFR) Zoning District. Applicant has submitted a request for a 50-foot dimensional variance to allow an accessory structure to be built in the front of the rear line of the house. The proposed 2000 square foot structure would sit north of the existing house in the side yard, 15 feet off of the northern property line, over 10 feet from the house, and over 100 feet from the front property line; all of which are within the requirements provided by the Township Zoning Ordinances. The proposed structure is depicted as having its own driveway; the applicant will be required to get approval for the driveway from the Livingston County Road Commission. Should the Township receive proof of the driveway approval prior to the meeting it will be included in the ZBA packet.

Brandon Sacker, discussed his plan. Request was made by Mr. Sacker because of DTE powerlines, location would not allow the structure location. Barn would be 40 x 50 feet, front of the Barn would be even with home and of similar design. Allowing for optimum esthetics. Jeff Smith asked questions with regard to well and septic location, and the Barn

having an individual driveway. Unidentified neighbor to the north of property said that request would not interfere with his property.

Motion to Approve: Carol Weaver, **PZBA2024-05, Parcel #: 4706-13-300-003, 3300 Oak Grove Rd. Howell, MI 48855. Section 14.07-B Accessory Building Provisions, 50-foot variance to allow accessory building to be located in front of rear line of house.** Roll call, Frenger- Yes, Weaver- Yes, Smith- Yes, McEvoy- Yes. **Motion carried 4-0.**

**B. Public Hearing: Russell Springborn, PZBA2024-06, Parcel #: 4706-25-200-048, 100 Springborn Dr. Howell, MI 48855. Section 14.35 Retention or Detention Ponds Located on Adjacent Parcels of Land: Variance to allow detention basin to be located in the 50-foot property setback.**

Staff Report: Jonathan Hohenstein

Parcel 4706-25-200-048 is an 8.242-acre site situated at the southern end of Oak Grove Road in the Neighborhood Service Commercial (NSC) Zoning District. Applicant has previously gone before the Township Planning Commission and received both preliminary and final site plan approval. After construction plan review the Township Engineer noticed that the detention basin was located inside the 50-foot property setback along Oak Grove Road. Attached is section 14.35 of the Township Zoning Ordinance. Under section 2.02 of the Zoning Ordinance detention basins are considered structures, and therefore need to be located outside of property setbacks.

“Structure. See “Building”, and in addition any manmade surface or subsurface feature or designed earth feature, other than normal finished grading for drainage purposes, including garden houses, pole barns, sheds, tents, pergolas, decks, porches, play houses, game courts, walls, trailers, septic tanks, underground storage tanks, above ground dispensing devices, among others, but not including wires and their supporting poles, towers, or frames for electrical, telephone, gas or television utilities or other public utilities located above or below ground.”

Applicant is requesting a variance from section 14.35 to allow the detention basin to be located inside the 50-foot property setback along the Oak Grove Road, a County primary road, due to site conditions including the rolling nature of the terrain and location of various easements for utilities and a County Drain.

Patrick Cleary from Boss Engineering of 3121 E Grand River Ave, Howell Michigan 48843, made a detailed presentation, on location of retention pond, how water flow would occur and the safeguards that were in place to deter overflow and flow into nearby creek and property. This was in accordance with the drain commission ordinances.

Noted that the planning commission had given preliminary and final approval of the plan per staff report. Board members raised questions. Jeff Smith stated, “ that if this was in the rear of the property there would be no need for a variance” Patrick Cleary and Russell Springborn, stated that the intention was to have the frontage to look like the Kroger entrance.

**Questions from call to public- Cindy and David Lynch.**

- Water mitigation and erosion via spill of into creek affecting 195 E Highland rd. does this impact previous studies that were approved? **NO**
- Spring thawing / snow plowing remnants is a concern. Or is this to sewer system?
- Is the retention/ detention pond only storm collection and disbursement? **YES**, Or is the wash discharge also treated into detention/ retention pond? **NO**
- Does this change the setback change any zoning requirements for 195 E. Highland rd. for future building, drainage with the pond now closer? **NO**
- Does our property now have to abide in setbacks from detention/ retention the newly relocated line provided that this variance is approved.?

- What is the sediment maintenance schedule to maintain retention volume capacity? **In compliance with Drainage Commission requirements 7-10 years cleaning.**
- The variance is for sole purposes only. No Future variance modifications / additions etc. **No**
- What impact does this have regarding the Livingston County Drain commissions original evaluation/ Report, as related to 195 E Highland rd.? **No Impact**
- What impact does this have regarding the Michigan Department of Environmental Quality evaluation/report, as related to 195 E Highland rd.? **No Impact**
- Can discharge be routed further northeast downstream creek toward rear parcel should variance be approved? **Not needed.**
- Can site be shifted north or reduced in size be the required footage to avoid the need for the variance request. If water mitigation cannot be assured with this change. **Not required**

Cindy and David Lynch were satisfied with the answers provided by Patrick Cleary and Russell Springborn

Motion to Approve: Jim McEvoy **PZBA2024-06, Parcel #: 4706-25-200-048, 100 Springborn Dr. Howell, MI 48855. Section 14.35 Retention or Detention Ponds Located on Adjacent Parcels of Land: Variance to allow detention basin to be located in the 50-foot property setback.**

Roll call, Frenger- Yes, Weaver- Yes, Smith- Yes, McEvoy- Yes. **Motion carried 4-0.**

**OLD BUSINESS: None**

**OTHER BUSINESS: None**

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

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

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

\_\_\_\_\_

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

Jim McEvoy, Secretary

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

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

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

**Draft**

**HOWELL TOWNSHIP REGULAR BOARD  
MEETING MINUTES**

3525 Byron Road Howell, MI 48855

December 9, 2024

6:30 P.M.

**MEMBERS PRESENT:**

Mike Coddington	Supervisor
Sue Daus	Clerk
Jonathan Hohenstein	Treasurer
Matthew Counts	Trustee
Tim Boal	Trustee
Shane Fagan	Trustee
Bob Wilson	Trustee

**MEMBERS ABSENT:**

**Also in Attendance:**

Eight 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:**

None

**APPROVAL OF THE AGENDA:**

December 9, 2024

**Motion** by Hohenstein, **Second** by Boal, **“To approve the agenda as presented.”** Motion carried.

**APPROVAL OF BOARD MEETING MINUTES:**

November 4, 2024

REGULAR BOARD MEETING MINUTES

**Motion** by Hohenstein, **Second** by Daus, **“Move to accept the regular meeting minutes from November 4<sup>th</sup> as presented.”** Motion carried.

CLOSED SESSION MEETING MINUTES

**Motion** by Hohenstein, **Second** by Counts, **“Move to accept the closed session meeting minutes from November 4<sup>th</sup> as presented.”** Motion carried.

**CALL TO THE PUBLIC:**

Jeff Smith, 3774 Mason Rd - Thanked the public for the votes that he did receive for Trustee. Also, spoke on Oakland Tactical’ s and Howell-Mason LLC’s lawsuits against the Township.

**UNFINISHED BUSINESS:**

A. Oakland Tactical v. Howell Township

Treasurer Hohenstein reported on the status of the Oakland Tactical v. Howell Township lawsuit. The U.S. Supreme has denied Oakland's request to hear the case. The Township attorney is preparing a summary for the board to be added to the next board packet.

B. Howell-Mason LLC v. Howell Township

Treasurer Hohenstein provided a brief update on this case and asked the board their preference as to whether they would like the court documents for Howell-Mason LLC to be continued to be added to future board packets.

C. Ordinance 289

Treasurer Hohenstein explained that ordinance 287 that amended ordinance 284 was recorded in error due to the ordinance numbers previously not being kept up to date. Therefore, the ordinance number 287 that was passed at the November Board meeting is now ordinance 289. Discussion followed. **Motion** by Counts, **Second** by Hohenstein **"To approve ordinance 289."** Roll call vote: Boal-yes, Counts-yes, Wilson-yes, Daus-yes, Fagan-yes, Hohenstein-yes, Coddington-yes. Motion carried 7-0.

D. Human Resources Committee – Shane Fagan's Letter to the Board

Tim Boal addressed questions and concerns that he had regarding Trustee Fagan's letter to the Human Resource Committee.

## **NEW BUSINESS**

A. Planning Commission Appointments

Treasurer Hohenstein reported that Wayne Williams, Mike Newstead, and Chuck Frantjeskos would like to continue on the Planning Commission Board for the three seats that are up for a 3-year term.

**Motion** by Counts, **Second** by Boal, **"To approve Planning Commission appointments as presented."** Motion carried.

B. Zoning Board of Appeals Appointments

Treasurer Hohenstein reported that Jim McEvoy would like to continue on as a ZBA member for the seat that is open for a 3-year term.

**Motion** by Counts, **Second** by Hohenstein, **"To approve Zoning Board of Appeals appointments as presented."** Motion carried.

C. Update Board Member Committee Assignments

Board discussed Township Board reappointments/reassignments.

**Motion** by Counts, **Second** by Hohenstein, **"To reappoint the Supervisor to all of the committees and additional board duties as presented."** Discussion followed. Motion carried.

**Motion** by Counts, **Second** by Fagan, **"To reassign the duties to the Clerk, all of the upper committees as presented."** Motion carried.

**Motion** by Counts, **Second** by Boal, **"To reappoint the Treasurer to the committees as presented."** Motion carried

**Motion** by Counts, **Second** by Hohenstein, **"To appoint Tim Boal as the Planning Commission Rep."** Discussion followed. Roll call vote: Hohenstein-yes, Counts-yes, Boal-yes, Wilson-no, Coddington-yes, Daus-yes, Fagan-no. Motion carried 5-2.

**Motion** by Hohenstein , **Second** by Daus, **“To reappoint Matt Counts to the MHOG Board and Fire Authority alternate.”** Motion carried.

**Motion** by Boal, **Second** by Counts, **“To appoint Jeff Smith if he’s willing to stay on Property.”** Motion carried, 2 dissented.

**Motion** by Boal, **Second** by Daus, **“To appoint Matt Counts as the Board Representative to ZBA.”** Motion carried.

**Motion** by Fagan, **Second** by Hohenstein, **“To remove Bob from the Planning Commission seat and to Appoint him to the Howell Area Parks and Recreation alternate, as well as the ZBA alternate seat.”** Motion carried.

**Motion** by Fagan, **Second** by Wilson, **“To appoint myself as the Planning Commission alternate.”** Motion carried.

D. Howell Schools Tax Collection Agreement  
Treasurer Hohenstein explained the agreement between Howell Public Schools and Howell Township. **Motion** by Hohenstein, **Second** by Daus, **“To accept the agreement for the collection of the summer school property taxes to Howell Public Schools as presented.”** Motion carried.

E. LESA Tax Collection Agreement  
**Motion** by Hohenstein, **Second** by Boal, **“To accept the summer tax collection agreement with LESA as presented.”** Motion carried.

**CALL TO THE PUBLIC:**

John Mills 1750 Oak Grove Rd. - Spoke on solar ordinances and sound ordinances.

Curt Hamilton 367 Crestwood Ln. – Spoke about the Howell-Mason lawsuit exhibits A-L, requesting those exhibits to be made available.

Doug Parks 1356 Mason Rd. – Spoke on rezoning his property, would like to build a barn for his landscaping business.

**REPORTS:**

A. SUPERVISOR:  
Supervisor Coddington discussed the sound system and asked for the Board’s consensus on a new large TV for the Boardroom. **Motion** by Counts, **Second** by Wilson, **“To allocate funds for a TV and mount and installation not to exceed \$2,000.00.”** Motion carried.

B. TREASURER:  
Treasurer Hohenstein reported that the winter tax bills have been mailed out.

C. CLERK:  
Clerk Daus reported that the Clerk’s department is finishing up the paperwork and filing from the November election.



D. ZONING:

Treasurer Hohenstein discussed education opportunities for ZBA and Planning Commission members. **Motion** by Hohenstein, **Second** by Boal, **“Move to schedule the Rolls and Responsibilities program here at Howell Township with MSU Extension and allow any Planning Commission member, ZBA member, and Board member to attend the Good Governance series as presented.”** Motion Carried.

F. Assessors Report:

See Assessor Kilpela’s reports

G. FIRE AUTHORITY:

Supervisor Coddington reported on the Fire Authority

E. MHOG:

Trustee Counts reported on MHOG

F. PLANNING COMMISSION:

See draft minutes

G. ZONING BOARD OF APPEALS (ZBA):

No November meeting

H. WWTP:

Treasurer Hohenstein reported on the pump station for Union at Oak Grove needing to be brought up to specification for it to be turned over to the Township and three air release valves that need to be replaced. **Motion** by Hohenstein, **Second** by Daus, **“Move to accept the sewer project committees sewer projects as presented.”** Discussion followed. Motion carried.

I. HAPRA:

Clerk Daus reported on Rec the Halls and holiday activities. Resumes are being reviewed for the Deputy Director position.

J. PROPERTY COMMITTEE:

No report

K. PARK & RECREATION COMMITTEE: See information in the board packet regarding the environmental site assessments provided by WSP and ASTI. Discussion followed. **Motion** by Fagan, **Second** by Wilson, **“To table until the board can take more time to better understand the work that is being proposed.”** Discussion followed. Roll call vote: Counts-no, Daus-no, Coddington-no, Fagan-yes, Boal-no, Hohenstein-no, Wilson-yes. Motion did not pass 2-5. **Motion** by Boal, **Second** by Hohenstein, **“To accept the ASTI bid with their quoting of \$4,800.00 to determine if there is any contamination.”** Motion carried.

L. Shiawassee River Committee:

No report

**Motion** by Counts, **Second** by Hohenstein **“To enter into closed session, Burkhart Ridge v. Howell Township.”** Closed session began at 8:07 P.M. Motion carried.

**Motion** by Counts, **Second** by Hohenstein **“To enter back into open session.”** Open session began at 8:56 P.M. Motion carried.

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

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

**ADJOURNMENT:** **Motion** by Daus, **Second** by Hohenstein, **“To adjourn at this time”** Motion carried. The meeting was adjourned at 8:57 P.M.

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

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

\_\_\_\_\_  
Tanya Davidson, Recording Secretary

DRAFT

HOWELL TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING MINUTES  
3525 Byron Road Howell, MI 48855  
December 17, 2024  
6:30 P.M.

**MEMBERS PRESENT:**

Wayne Williams            Chair  
  
Mike Newstead            Secretary  
Tim Boal                    Board Representative  
  
Chuck Frantjeskos        Commissioner

**MEMBERS ABSENT:**

Robert Spaulding        Vice Chair  
  
Paul Pominville           Commissioner

**Also in Attendance:**

Township Planner Grayson Moore, Township Attorneys Wayne Beyea and Lindsey Gergel and 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 Newstead, **Second** by Frantjeskos, **“To approve the agenda as presented.”** Motion carried.

**APPROVAL OF THE MEETING MINUTES:**

November 24, 2024

**Motion** by Boal, **Second** by Newstead, **“To approve the minutes as presented.”** Motion carried.

**Call to the Public**

Jeff Smith, 3774 Mason Rd: Spoke on ADU’s, Wellhead Protection Ordinance, and Home Office Ordinance

Shane Fagan, 30 Santa Rosa Dr: Spoke on Home Occupation Ordinance and his ordinance violation with the Township

Curtis Hamilton, 1367 Crestwood: Spoke on Wellhead Protection Overlay District and opposition to Mugg and Bopps

Julie Mullens, 3885 Mason Rd: Spoke on Wellhead Protection Overlay District protection and opposition to Mugg and Bopps

Greg Lask, 161 Deer Ridge: Spoke on Wellhead Protection District and opposition to Mugg and Bopps

Jenni Johnson, 273 S. Burkhart: Spoke on Wellhead Protection District and opposition to Mugg and Bopps

Bob Wilson, 2945 Brewer Rd: Spoke on Wellhead Protection District and Ordinance grievances

Denie Perkola, 3460 Mason Rd: Spoke on Wellhead Protection Area

Curtis Hamilton, 1367 Crestwood: Spoke on Mugg and Bopps previous violation in Dexter, MI

**ZONING BOARD OF APPEALS REPORT:**

None

**TOWNSHIP BOARD REPORT:**

Draft minutes are included in the packet. Board Representative Boal reported on Oakland Tactical vs. Howell Township lawsuit, Oakland Tactical appealed their case to the United States Supreme Court and they were denied. Chairman Williams, Secretary Newstead and Commissioner Frantjeskos were re-appointed to the Planning Commission.

**ORDINANCE VIOLATION REPORT:**

Report in packet

**SCHEDULED PUBLIC HEARINGS:**

None

**OLD BUSINESS:**

- A. Cornerstone Group, PC2024-16, Parcel # 4706-28-301-034. Final Site Plan Review- Township Planner Moore gave an update on the revised site plan. Chairman Williams questioned ceiling height of building, parking spaces, trash enclosure, and water runoff. Board Representative Boal questioned two buildings that were removed/changed and the type of tenants that will be allowed to rent space. Applicant Jim Witkowski addressed the Commission and answered questions. Discussion followed. **Motion** by Newstead, **Second** by Frantjeskos **“For final site approval for the Cornerstone Group, PC2024-16, Parcel # 4706-28-301-034 subject to meeting all conditions listed in the Planner’s report dated December 11, 2024 and the Engineer’s report dated December 5, 2024.”** Motion carried.
  
- B. Wellhead Protection Ordinance- Township Attorney Beyea gave an update on the Wellhead Protection Overlay District Ordinance and changes that were added. Mr. Beyea discussed the document he provided to the Planning Commission highlighting the history of the Wellhead Protection Ordinance, how the Overlay District works (including discussion on the included wellhead map), the purpose of the district, MHOG’s role, the prohibition of hazardous materials, and the permitted uses in the district, uses requiring a special use, and prohibited uses. Boal questioned if this ordinance prevents gas stations from entering the area and if this additional ordinance strengthens the ordinance that is already in place. Discussion followed. Township Engineer Phil Westmoreland with Spicer Group clarified what safety requirements and information are needed before approving a site plan. **Motion** by Newstead, **Second** by Boal, **“To recommend approval of the Wellhead Protection Ordinance to the Township Board.”** Motion Carried.
  
- C. ADU Ordinance- Township Planner Moore gave an overview of what an ADU would require to be authorized under the proposed ordinance. Attorney Beyea gave his perspective on the ordinance regarding deed restrictions and changes regarding the clarification and definition of “Family” in the single-family district. Board Representative Boal questioned how the Township would regulate and enforce ADUs that are detached, present and no longer needed for family members and if homeowners could apply for a Condition of Use Permit vs. changing the ordinance. Discussion followed. **Motion** by Boal, **Second** by Newstead, **“To continue discussion at our next meeting.”** Motion carried.

**NEW BUSINESS:**

- A. Home Occupation Ordinance- Commissioner Boal questioned his specific circumstance with a home business if he should remove himself from the discussion. Attorney Beyea said there was no conflict of interest for Mr. Boal. Planner Moore discussed and provided examples of other municipality Home Occupation Ordinances. Commissioner Frantjeskos questioned the possibility of updating all the Township ordinances. Board Representative Boal questioned if the Township has received a quote or contract from Planner Montagno to update the ordinances. Zoning Administrator Hohenstein discussed the former Planning Commission committee and the process to form a new committee. Discussion followed. **Motion** by Newstead, **Second** by Frantjeskos, with friendly amendments **“To recommend to the Board to approve Carlisle and Wortman form a comprehensive review and update of all the Howell Township Ordinances specific to Zoning Ordinances.”** Motion carried.

**CALL TO THE PUBLIC:**

Sharon Lollo, 2650 Fisher Rd: Spoke on opposition to detached ADUs

Tom Bull, 2704 Fisher Rd: Spoke on opposition to detached ADUs

Bob Wilson, 2945 Brewer Rd: Spoke on Home Occupation Ordinance and grievances with Zoning Enforcement Officer

Shane Fagan, 30 Santa Rosa: Spoke on concern of updating all the Zoning Ordinances

Dan Shoal, Mason Rd: Spoke on Wellhead Protection Area and concerns of the Overlay District

**ADJOURMENT:**

**Motion** by Boal **Second** by Newstead, **“To adjourn.”** Motion carried. The meeting was adjourned at 10:00 P.M.

\_\_\_\_\_  
Date

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

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

RECEIVED

DEC 11 2024

HOWELL TOWNSHIP  
Application for Zoning Board of Appeals

HOWELL TOWNSHIP

3525 Byron Road Howell, MI 48855  
Phone: 517-546-2817 ext. 108  
Email: inspector@howelltownshipmi.org

File Number: PZBA-2024-07 Parcel ID: 4706-13 - 302 - 063 Date 12/10/2024

Residential Request, Fee \$400.00

Commercial Request, Fee \$900.00

Owner Name Trenton Whitaker Owner Address 3072 Hill Hollow Ln Howell MI 48855

Applicant Name Trenton Whitaker Applicant Address 3072 Hill Hollow Ln Howell MI 48855

Contact Person for all Correspondence Trenton Whitaker

Address 3072 Hill Hollow Ln Howell MI 48855

Phone [REDACTED] Fax [REDACTED] Email [REDACTED]

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 Oak Grove Meadows

Between Roads Pinecove Trail & Hill Hollow Ln

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:  
 I would like a 15 foot variance on rear and 5 foot variance side yard setbacks. My current site plan is drawn for a 35 foot rear and 8.75 side.

This variance would allow for me to install an above ground pool while maintaining the proper distance of 4 feet from the home. My property is a corner lot and already limited to the usage of my lawn due to the the side yard near the street being limited to the "front yard setbacks" There are no utalities near the installation area and this variance will not block/hinder any usability to the adjacent properties or the main structure.

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	
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	15 ft variance from rear
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.	TW
The practical difficulties or unnecessary hardship in the strict application of the ordinance was not created or caused by the Applicant.	TW
The Zoning Board of Appeals cannot grant a variance for a use that is not permissible in the designated zoning district.	TW
The Zoning Board of Appeals has the right to prescribe conditions and safeguards for any variance granted.	TW
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.	TW
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.	TW
Applicant acknowledges he has read and understands Article XXII entitled "Zoning Board of Appeals."	TW
Applicant grants permission to all ZBA members access to the property to view all relevant areas pertaining to the request.	TW

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

Trenton Whitaker

Print Name

12/10/2024

Date

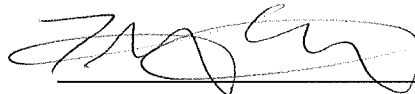
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

Notary Public

Printed Name

\_\_\_\_\_ County, Michigan

My Commission expires: \_\_\_\_\_



Applicant's Signature

Trenton Whitaker

Print Name

12/10/2024

Date

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

Notary Public

Printed Name

\_\_\_\_\_ County, Michigan

My Commission expires: \_\_\_\_\_



**HOUSE DIMENSIONS:**

- A = 26'-0"
- B = 16'-0"
- C = 19'-8 1/2"
- D = 20'-0"
- E = 3'-0"
- F = 9'-0"
- G = 3'-0"
- H = 16'-4"
- I = 36'-0"

**GARAGE FRONT:**

- 20'-4 1/2"
- DRIVE:**
- 401 sqft
- ROW:**
- 157 sqft
- LEAD WALK:**
- 38 sqft



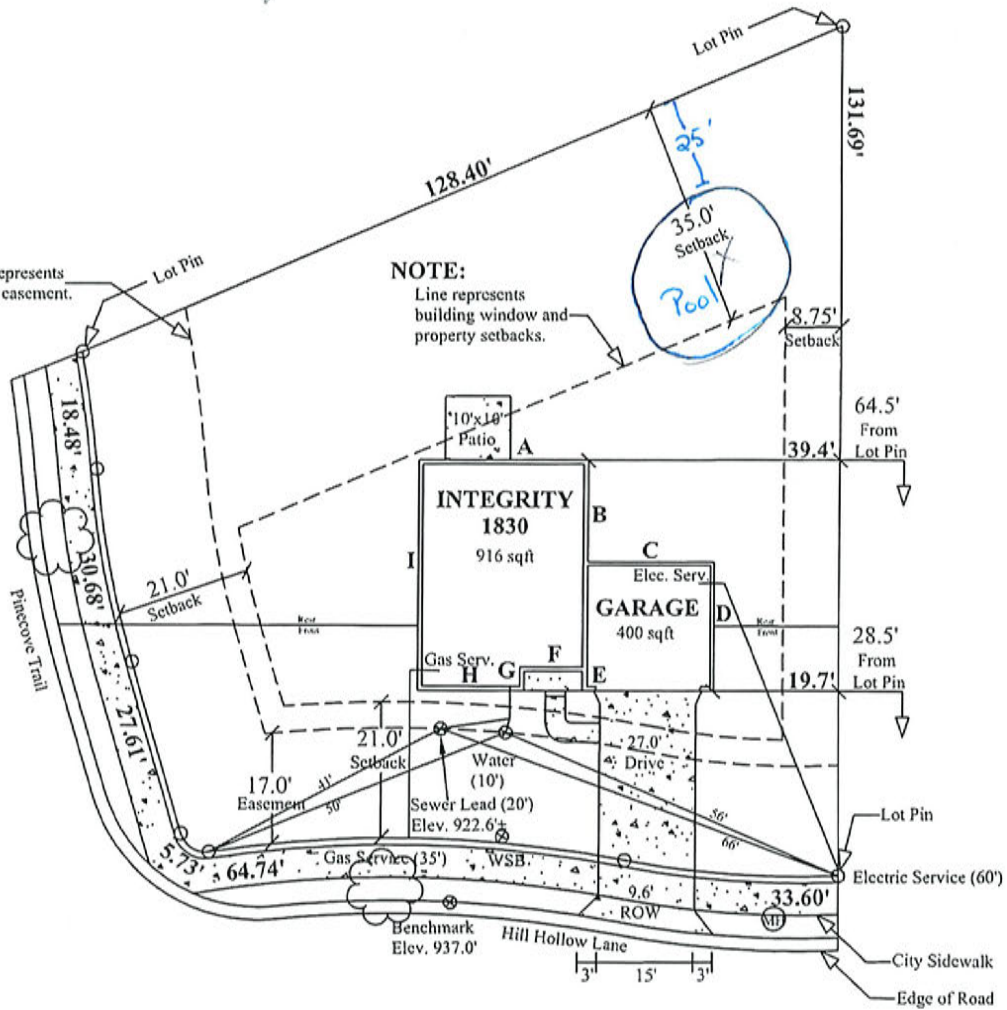
HOWELL TOWNSHIP ZONING DEPARTMENT

Date 3/17/21 Land Use Permit # P21-021

Signed \_\_\_\_\_

NOTE:  
Line represents utility easement.

NOTE:  
Line represents building window and property setbacks.



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

December 11, 2024

Applicant: Trenton Whitaker  
Property: 4706-13-302-063

Parcel 4706-13-302-063 is a 0.268-acre site situated in the Oak Grove Meadows subdivision in the Single Family Residential (SFR) Zoning District. Applicant is seeking to construct a pool in the property setbacks. The property is a corner lot, which means it has two front yards and a much smaller rear yard than a typical property in the same subdivision. Setbacks for the SFR Zoning District are listed below but severely limit the area available to the applicant and the additional standards for pools limit the space even more preventing the installation of a pool.

**Single Family Residential - Section 6.06-F:**

F. Yard and setback requirements.

- 1) Front yard. Minimum of thirty (30) feet from the road right-of-way line, or as specified in Section 26.05, whichever is greater.
- 2) Side yard. Minimum of ten (10) feet for each side yard, but a minimum total of twenty (20) feet for both side yards.
- 3) Rear yard. Minimum of forty (40) feet.

**Supplemental Regulations - Section 14.18:**

Private pools shall be permitted as an accessory use in all zoning districts within the rear and side yards only, provided they meet the following requirements:

- A. There shall be a distance of not less than twenty (20) feet between the adjoining property line and the outside of the pool wall.
- B. There shall be a distance of not less than four (4) feet between the outside pool wall and any building located on the same lot.
- C. No swimming pool shall be located less than thirty-five (35) feet from any front lot line.
- D. No swimming pool shall be located less than the distance required for a side yard by the zoning ordinance.

Respectfully submitted,  
Jonathan Hohenstein

06-13-302-003

06-13-302-002

ROW

3-302-001

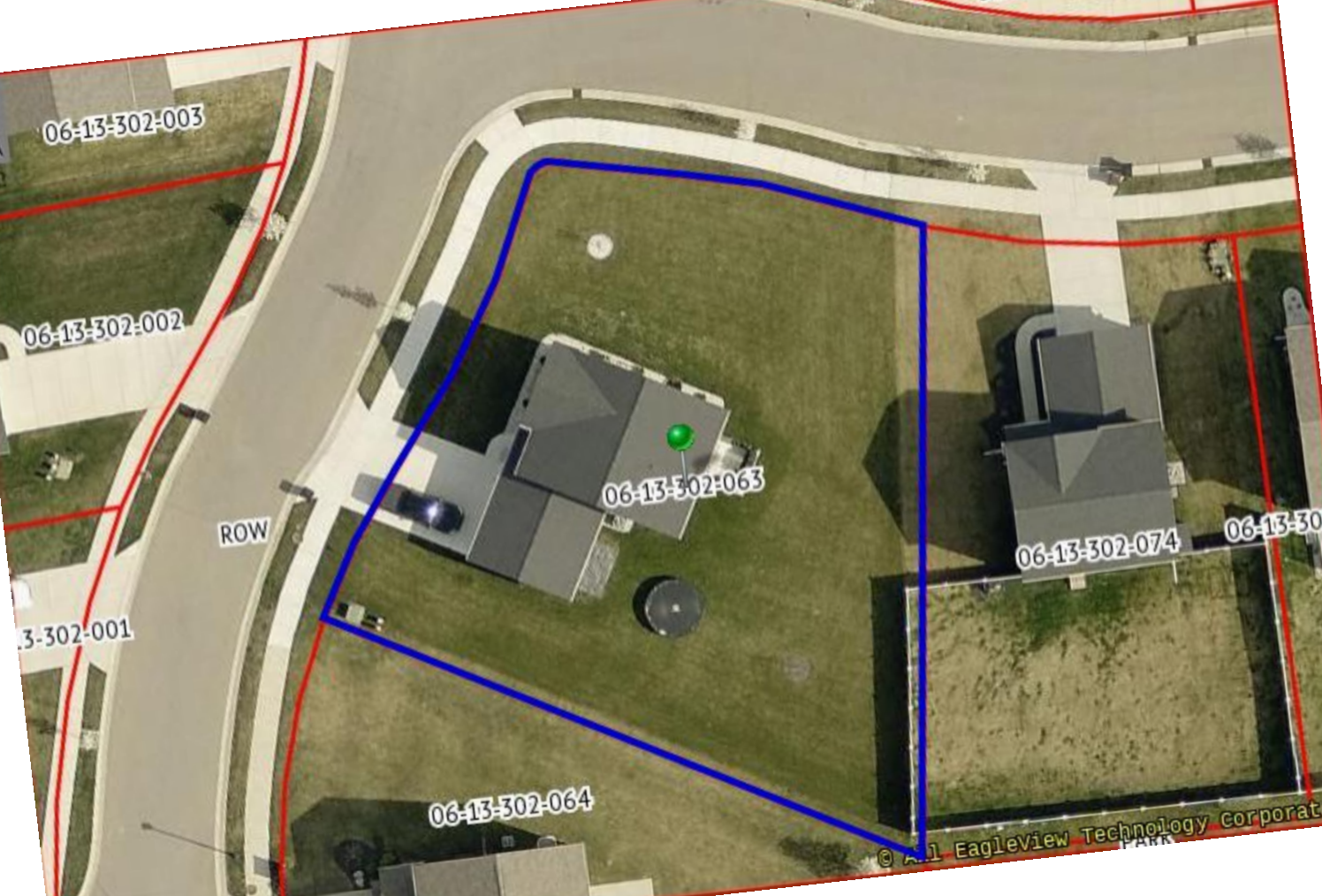
06-13-302-063

06-13-302-074

06-13-302-074

06-13-302-064

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PARK



## Howell Township Inspector

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**From:** cheryl januszka [REDACTED]  
**Sent:** Wednesday, December 18, 2024 9:46 PM  
**To:** Howell Township Inspector  
**Subject:** Public Hearing for 3072 Hill Hollow Ln. Howell, MI 48855 Parcel #: 4706-13-302-063

Hello,

I cannot attend the hearing on January 21, 2025 per your notification letter dated 12/11/24.

I'm sending this email to support approval of the variance to allow an above-ground pool in the property setback area.

Thank you,

Howell Township Resident  
Chery Januszka  
3041 Ivy Wood Circle  
Howell, MI 48855