

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

3525 Byron Road  
Howell, MI 48855  
April 15, 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 January 21, 2025
6. Township Board Report:  
Draft March 3, 2025 Regular Board Meeting Minutes
7. Planning Commission Report:  
Draft March 25, 2025 Regular Planning Commission Meeting Minutes
8. Old Business:
9. New Business:  
A. Public Hearing: Bailey Hessler-Tolentino, PZBA2025-01,  
Parcel #: 4706-05-202-019, 4229 W. Allen Rd., Howell, MI 48855.  
**Article III, Section 3.17 – Schedule of Area, Height, and Setback Regulations**  
**Article IV, Section 4.06 – Dimensional Regulations**  
**Request:** Variance request to build an addition on existing house within the setback area
10. Other Business:  
A. ZBA Annual Report
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

DRAFT MINUTES: January 21<sup>st</sup> 2025

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
Matt Counts	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 Counts **Seconded** by Weaver, “To Approve the January 21<sup>st</sup>, 2025, Zoning Board of Appeals Agenda” Motion carried.

**APPROVAL OF MINUTES:** MOTION by Weaver **Seconded** by McEvoy, “To Approve the September 17, 2024, Zoning Board of Appeals Minutes as Presented” Motion carried.

**TOWNSHIP BOARD REPORT:** Counts asked for questions, none.

**PLANNING COMMISSION REPORT:** Counts asked for questions, none

**OLD BUSINESS:** None

## **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.

Staff Report: Jonathan Hohenstein

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:** 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

Trenton Whitaker discussed the need to address the setbacks with ZBA before going to the HOA (Home Owners Association). Questions: asked what the pool dimensions were? Mr. Whitaker response was 18 (eighteen) foot round. What was the location? Mr. Whitaker responded with an indication on a computer screen, of the photo of his property. Mr. Whitaker stated the reason for the request was that he did not want the pool within four (4) feet of his home. Similar to current location of a trampoline.

Public input:

Chery Januszka 3041 Ivy Wood Circle Howell, MI 48855, sent via email in support of granting the variance. Zoning Board Administrator indicated that there several phone calls in support of the variance.

ZBA after a short discussion believed that with the constraints of the property provided no options. Therefore, the variance was appropriate. Comments to Mr. Whitaker were that any deck or additional structures would have to reviewed as well. Further, Mr. Whitaker acknowledged that he would need to go to HOA in this process next.

**Motion by Weaver Seconded by McEvoy, "On PZBA2024-07, Parcel #: 4706-13-302-063, 3072 Hill Hollow Ln. Howell, MI 48855 for a 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."**

Roll Call Vote:

Frenger – Yes, Weaver – Yes, Counts – Yes, McEvoy – Yes. **MOTION CARRIED 4-0**

#### **OTHER BUSINESS**

Discussion of upcoming classes:

ROLES AND RESPONSIBILITIES PROGRAM - **Date:** January 23, 2025 **Time:** 6-8pm **Location:** Howell Township

CITIZEN PLANNER - **Date:** March 6, 13, 20, April 3, 10 and 17, 2025 **Time:** 6-9pm **Location:** The John E LaBelle

Livingston County Public Safety Complex

THE GOOD GOVERNANCE SERIES - **Date:** TBD

Board Members will attend.

Discussion of a potential for the ZBA to report to the Board for various revisions for ordinances that require often variances. Example: Barn locations.

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

**ADJOURNMENT:** Meeting adjourned at 7:07 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

March 3, 2025

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:**

4 people signed in.

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 add 2025 road projects to a new business item.

Trustee Fagan requested to add American Legion violation ticket number 0202 to a new business item.

### **APPROVAL OF THE AGENDA:**

March 3, 2025

**Motion** by Fagan, **Second** by Wilson, **"To approve the agenda as presented."** Motion carried. 1 dissent.

### **APPROVAL OF BOARD MEETING MINUTES:**

February 10, 2025

REGULAR BOARD MEETING MINUTES

**Motion** by Hohenstein, **Second** by Daus, **"To accept the minutes from February 10th as presented."** Motion carried.

### **CALL TO THE PUBLIC:**

John Mills, 1750 Oak Grove Rd.: Spoke on snow removal at Pioneer Cemetery

Justin Frederick, 225 Bain Dr.: Spoke on Zoning Administrator matters.

Kaye Don Le Chevalier, 2900 Brewer Rd.: Spoke on violation.

### **UNFINISHED BUSINESS:**

None

## **NEW BUSINESS**

- A. MHOG Percent Allocation and Budget – MHOG Director Greg Tatara  
Greg Tatara spoke on improvements, maintenance, financials, and budgeting for MHOG. **Motion** by Counts, **Second** by Hohenstein, **“To approve the FY 2026 system labor and allocation percentage from MHOG.”** Motion carried. **Motion** by Counts, **Second** by Daus, **“To approve the amended DPW fund budget for FY 2025, and a proposed fund budget for FY 2026.”** Motion carried.
- B. Mark Juett, PC2024-17, Parcel #4706-28-100-071, vacant land – Hydraulic Drive, Request to rezone parcel from Industrial (I) to Industrial Flex Zone (IFZ)  
Cole Juett and Hannah Juett spoke on Juett Outdoor Storage. **Motion** by Boal, **Second** by Hohenstein, **“To approve the rezoning to Industrial Flex on parcel #4706-28-100-071, also under PC2024-17.** Motion carried.
- C. Heritage Square PUD Agreement  
Treasurer Hohenstein discussed that in order to move forward with the Heritage Square PUD there needs to be an approved developmental agreement. **Motion** by Hohenstein, **Second** by Counts **“To accept the Planned Unit Development agreement as presented.”** Discussion followed. Roll call vote: Boal – no, Fagan – no, Hohenstein – yes, Daus – yes, Wilson – no, Counts – no, Coddington – yes. Motion failed 3-4. Discussion followed. **Motion** by Counts, **Second** by Fagan **“To approve the Heritage Square PUD agreement.”** Roll call vote: Coddington – yes, Boal – no, Daus – yes, Counts – yes, Fagan – yes, Hohenstein – yes, Wilson – yes. Motion carried 6-1
- D. Heritage Square PUD Final Site Plan Approval for Phase I, Parcel #4706-32-400-013  
**Motion** by Fagan, **Second** by Hohenstein, **“To approve Final Site Plan Approval for Phase I, Parcel #4706-32-400-013.”** Roll call vote: Wilson – yes, Hohenstein – yes, Boal – no, Fagan – yes, Coddington – yes, Daus – yes Counts - yes. Motion carried 6-1
- E. Heritage Square PUD Amendment request to increase lot coverage percentage  
**Motion** by Fagan, **Second** by Counts, **“To approve Heritage Square PUD amendment to requests increase lot coverage percentage.”** Roll call vote: Hohenstein – no, Counts – yes, Wilson – no, Boal – no, Daus – no, Coddington – yes, Fagan – yes. Motion failed 3-4.
- F. 2025 Road Projects  
Treasurer Hohenstein spoke on future road projects for 2025. **Motion** by Counts, **Second** by Hohenstein, **“To approve road projects for Fisher road as presented in the Livingston County Road Commission report dated February 28,2025.”** Discussion followed. Motion carried. **Motion** by Counts, **Second** by Hohenstein, **“To approve crush and shape with asphalt on Fleming Rd., Grand River Ave. to the end of the pavement to the tune of \$64,000 dollars, as long as matching funds are available from Livingston County Road Commission.”** Motion carried.
- G. American Legion Ticket  
Trustee Fagan spoke on American Legion’s violation ticket. **Motion** by Fagan, **Second** by Wilson, **“To dismiss the American Legion ticket.”** Discussion followed. Roll call vote: Daus – no, Wilson – yes, Fagan – yes, Coddington – no, Hohenstein – no, Counts – no, Boal – no. Motion failed 2-5.

**CALL TO THE PUBLIC:**

Robert Spaulding, 3500 Crandall Rd.: Spoke on Heritage Square PUD, Warner Rd condition.

Justin Frederick, 225 Bain Dr.: Spoke about Township Ordinance violation.

**REPORTS:**

- A. SUPERVISOR:  
No report
- B. TREASURER:  
Treasurer Hohenstein reported that the Treasury Department has completed the tax collection and is now in the process of settling with the County.
- C. CLERK:  
No report
- D. ZONING:  
See Zoning Administrator Hohenstein's report.
- E. ASSESSING:  
See Assessor Kilpela's report.
- F. FIRE AUTHORITY:  
Supervisor Coddington reported on Fire Authority.
- G. MHOG:  
Trustee Counts reported on MHOG.
- H. PLANNING COMMISSION:  
Trustee Boal reported on Planning Commission.
- I. ZONING BOARD OF APPEALS (ZBA):  
No report
- J. WWTP:  
See report
- K. HAPRA:  
See report
- L. PROPERTY COMMITTEE:  
No report
- M. PARK & RECREATION COMMITTEE: Treasurer Hohenstein reported that the Phase I study results have been made public and a Phase II study quote has been requested.

- N. Shiawassee River Committee:  
No report

**CLOSED SESSION:**

Burkart Ridge v. Howell Township

**Motion** by Counts, **Second** by Boal, **“To go into closed session.”** Roll call vote: Counts – yes, Boal – yes, Fagan – no, Wilson – no, Coddington – yes, Daus – yes, Hohenstein – yes. Motion failed 5-2. **Motion** by Counts, **Second** by Hohenstein, **“To go into Closed Session to discuss Burkart Ridge v. Howell Township.”** Roll call vote: Fagan – no, Daus – yes, Coddington – yes, Wilson – yes, Counts – yes, Boal – yes, Hohenstein – yes. Motion carried 6-1. **Motion** by Counts, **Second** by Hohenstein, **“To enter back into regular session.”** Motion carried. **Motion** by Hohenstein, **Second** by Counts, **“To authorize the Township Counsel to proceed as discussed in closed session.”** Motion carried.

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

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

**ADJOURNMENT:** **Motion** by Daus, **Second** by Boal, **“To adjourn”** Motion carried. The meeting was adjourned at 9:29 pm.

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Sue Daus, Howell Township Clerk

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Mike Coddington, Howell Township Supervisor

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Tanya Davidson, Recording Secretary

DRAFT

**HOWELL TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING MINUTES**

3525 Byron Road Howell, MI 48855

March 25, 2025

6:30 P.M.

**MEMBERS PRESENT:**

Wayne Williams	Chair
Robert Spaulding	Vice Chair
Mike Newstead	Secretary
Tim Boal	Board Representative
Chuck Frantjeskos	Commissioner
Sharon Lollo	Commissioner

**MEMBERS ABSENT:**

Matt Stanley	Commissioner
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**Also in Attendance:**

Township Planner Grayson Moore, Colbie Harris from Mitch Harris Building Company, Pat Keough from ACE Civil Engineering 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 Boal, **Second** by Spaulding, **“To move 12B and make that number 10, and then subsequently the rest of them would be 11, 12, 13, 14, and 15.”** Motion carried.

**APPROVAL OF THE MEETING MINUTES:**

February 25, 2025

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

**Call to the Public**

None

**ZONING BOARD OF APPEALS REPORT:**

None

**TOWNSHIP BOARD REPORT:**

Draft minutes are included in the packet. Board representative Boal gave an update on rezoning for Hydraulic Drive that was approved from Industrial-to-Industrial flex. Heritage Square PUD agreement and final site approval passed. Amendment for increased lot coverage was denied but was passed at the Special Board Meeting on March 17<sup>th</sup>. Vice Chair Spaulding questioned the number of lots for the increased lot coverage.

**ORDINANCE VIOLATION REPORT:**

Report in packet. Commissioner Lollo questioned if there was an area on the Township website to track violations with monetary fines, tickets and number of visits to property. Zoning Administrator Hohenstein reviewed the process of distributing violation tickets. Vice Chair Spaulding questioned when does running a business out of a home become a problem with the Township.

## **BUSINESS ITEMS:**

### **A. New Business:**

1. Mitch Harris Building Co., PC2025-02, Parcel #4706-27-300-030, Preliminary Site Plan Review. Township planner Moore gave an overview of the site plan. This is for a 4-unit Townhome development at the corner of Grand River and Edgebrook Drive. The proposed units will be two story buildings with an attached garage and first floor patios. The site is 2.24 acres. Board Representative Boal questioned why it's taxed commercial but zoned as multi-family. Pat Keough from ACE Civil Engineering and Colbie Harris from Mitch Harris Building Company discussed items that needed to be addressed in Township Planner's report. Commissioner Lollo questioned square footage of each unit and if they will be rentals or sold separately. Commissioner Frantjeskos questioned square footage of each floor. Vice Chair Spaulding questioned if these units would be a self-standing association or would be part of River Downs Association, if there were plans in the future to develop additional units on this site and proposed outside lighting plan. Board Representative Boal was concerned with the tight dimensions and would like to see more detail due to the fenced in detention basin and requested a preliminary report from the Drain Commission due to complaints from residents in the area with drainage concerns. Commissioner Lollo questioned whether the screening would be Arbor Vite trees or fencing. Discussion followed. **Motion** by Boal, **Second** by Newstead, **"To postpone PC2025-02, Parcel #4706-27-300-030 until such time the applicant can address the concern in the Planner's report, I'm just going to say 1 thru 16, I know some of them have already been addressed, so if they're not there then they will just disappear when you come back, so the only one you did say you had problem with was number 10 reducing the pavement to the site, we can take that up with the rest of them I guess, any other amendments we need to make?"** Motion carried.

## **SCHEDULED PUBLIC HEARINGS:**

- A. Renewable Energy Ordinance Public Hearing: **Motion** by Boal, **Second** by Newstead, **"To open the public hearing."** Motion carried. **Motion** by Newstead, **Second** by Frantjeskos, **"To close the public hearing."** Motion carried. Commissioner Frantjeskos questioned if the Township has an overlay district. Chairman Williams questioned should the Township decide to do nothing can the state mandate solar energy being installed on private property. Vice Chair Spaulding questioned if there was a commercial property ordinance for solar panels and if there was ever an ordinance adopted, if a solar overlay district is needed and is there an advantage/disadvantage to having one. There are concerns with hazardous waste and what will happen with the batteries and panels if they are abandoned by home owners or reach the end of their life. Board Representative Boal concerned with public health safety and welfare of residents if the panels break/leak, concerns of battery storage and how the noise decimal was decided. Commissioner Lollo asked for clarifications of who owns property near potential overlay district. Chairman Williams questioned if we could add regulation for fire suppression of battery storage systems. Discussion followed and questions were answered by Zoning Administrator Hohenstein and Township Planner Moore. **Motion** by Spaulding, **Second** by Newstead, **"To postpone action on the proposed text amendment so that the following items can be addressed, Grayson if you can look at stricter fire control systems and decommissioning definition, some of the word changes that I had, adding sales/credit."** Motion carried.

**OTHER MATTERS TO BE REVIEWED:**

- A. Legal Update- Discussion on legal motions and taking of meeting minutes.

**BUSINESS ITEMS:**

- A. Unfinished Business
1. ADU Ordinance- Commissioner Lollo read her letter on her concerns regarding potential ADUs in the Township. Planner Moore reviewed the ordinance and answered questions. Commissioner Frantjeskos spoke on being able to put an extension on an existing residence to be able to house family members in need. Vice Chair Spaulding questioned what needs to be changed to incorporate the approval of ADUs with a Special Use Permit and the current cost of a Special Land Use Permit. Chairman Williams questioned what is legally enforceable to be considered family. Discussion followed. **Motion** by Newstead, **Second** by Spaulding, **"To postpone action on the proposed text amendment so the following items can be addressed, that all changes that were discussed in this meeting are added to the final ordinance Special Use."** Motion carried.

**CALL TO THE PUBLIC:**

None

**ADJOURMENT:**

**Motion** by Spaulding, **Second** by Lollo, **"To Adjourn."** Motion carried. The meeting was adjourned at 8:45 P.M.

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Marnie Hebert  
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-2025-01Parcel ID: 4706-05-202 - 019Date 3-6-25

Residential Request, Fee \$400.00

Commercial Request, Fee \$900.00

Owner Name Bailey Hessler-Tolentino Owner Address 4229 W Allen Rd Howell MI 48855  
 Applicant Name Bailey Hessler-Tolentino Applicant Address 4229 W Allen Rd Howell MI 48855  
 Contact Person for all Correspondence Bailey Hessler-Tolentino  
 Address 4229 W Allen Rd Howell MI 48855  
 Phone [REDACTED] Fax N/A 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 4229 W Allen Rd Howell MI 48855Between Roads Burkhart & Crandall

Please attach a copy of the legal description of property to the application.

Current Zoning Classification AR

Details of your request and reasons why the request should be granted:

Need room For current Family of six and an additional child on the way, while staying within our Budget. Current lot was established before occupancy.

Have previous appeal(s) been made on this property?

☒ No

☐ Yes

If yes: Date of appeal N/A Nature of appeal N/A Decision N/A

Appealing the Zoning Administrator's decision?

☐ Yes

☒ No

Appealing the Planning Commission's decision?

☐ Yes

☒ No

If yes, grounds for appeal:

N/A

Specify ordinance sections which substantiate your reasons for appeal:

Section 3 setbacks, Section 4

Requesting an interpretation of the ordinance?

☐ Yes

☒ No

If yes, Zoning Ordinance section N/A

Applicants interpretation of the Ordinance section (attach any supporting material)

N/A

Please provide the following:

Zoning Ordinance Section	<u>Section 3 &amp; 4</u>	
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	<u>15 FT</u>	
Date and Decision of Zoning Administrator and/or Planning Commission	<u>N/A</u>	

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

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.

Bailey Hessler-Tolentino

Owner's Signature

Applicant's Signature

Bailey Hessler-Tolentino

Print Name

Print Name

3-6-25

Date

Date

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

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

Notary Public

Notary Public

Printed Name

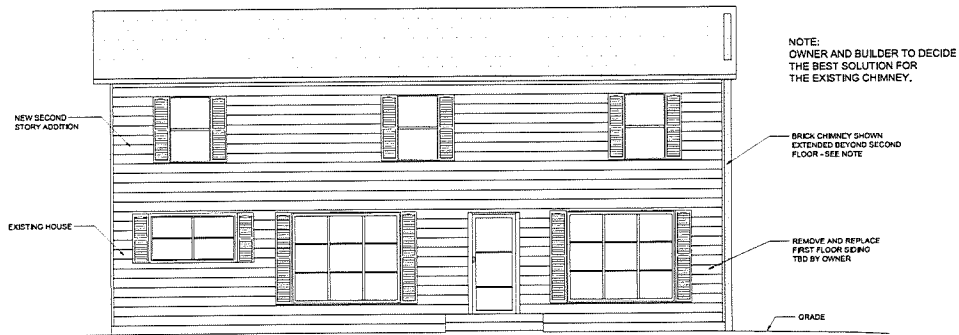
Printed Name

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

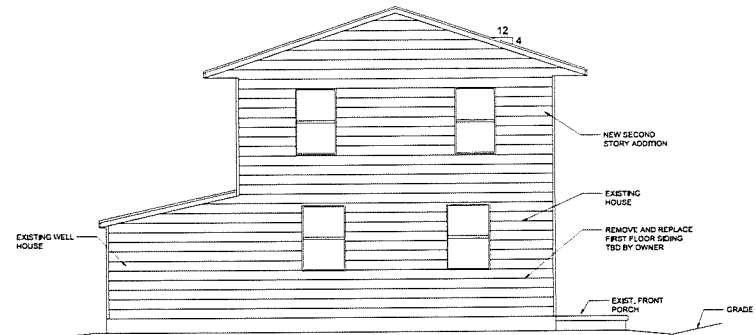
\_\_\_\_\_ County, Michigan

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

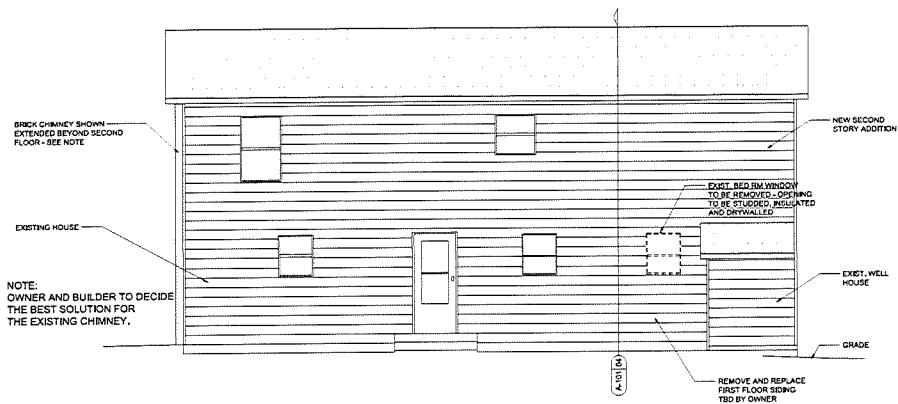
My Commission expires: \_\_\_\_\_



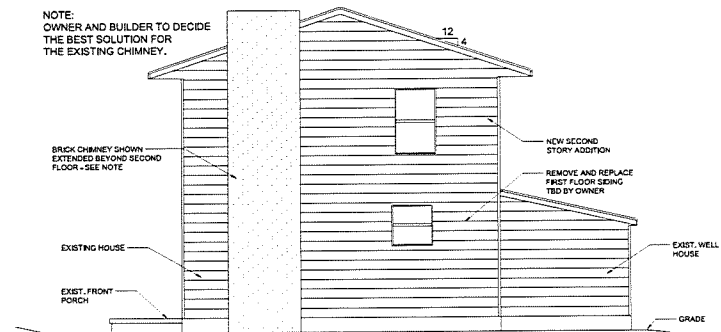
01 A-100 FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



02 A-100 SOUTH-EAST ELEVATION  
SCALE: 1/4" = 1'-0"



03 A-100 REAR ELEVATION  
SCALE: 1/4" = 1'-0"



04 A-100 NORTH-WEST ELEVATION  
SCALE: 1/4" = 1'-0"

WINDOW & DOOR SCHEDULE				
LOCATION	MANUFACTURER	DESCRIPTION	SIZE	ROUGH OPENING
BED RM #1 - SECOND FLR (2)	ANDERSEN	200 SERIES WHITE DOUBLE HUNG	35.5" X 56.5"	36" X 57"
BED RM #2 - SECOND FLR (1)	ANDERSEN	200 SERIES WHITE DOUBLE HUNG	35.5" X 56.5"	36" X 57"
BED RM #3 - SECOND FLR (1)	ANDERSEN	200 SERIES WHITE DOUBLE HUNG	35.5" X 56.5"	36" X 57"
BED RM #4 - SECOND FLR (2)	ANDERSEN	200 SERIES WHITE DOUBLE HUNG	35.5" X 56.5"	36" X 57"
SITG AREA - SECOND FLR (1)	ANDERSEN	200 SERIES WHITE DOUBLE HUNG	35.5" X 56.5"	36" X 57"
BATH RM - SECOND FLR (1)	ANDERSEN	200 SERIES WHITE DOUBLE HUNG	35.5" X 35.5"	36" X 36"

KD & TS INC  
DESIGN AND DRAFTING SERVICES  
HOWELL, MICHIGAN  
248-231-7466



ELEVATIONS  
4229 W. ALLEN RD

933 SQ. FT. ADDITION

DATE: 02/10/2025  
DJ AND BAILEY TOLENTINO  
HOWELL, MI

A-100



LIVINGSTON COUNTY TREASURER'S CERTIFICATE

I hereby certify that there are no TAX LIENS OR TITLES held by the State or any individual against the within description, and all TAXES on same are paid for five years previous to the date of this instrument or appear on the records in this office, except as stated.

Jan 23, 2019 - Jennifer M. Nash, Treasurer By TJ 27175

2018 TAX NOT AVAILABLE FOR EXAMINATION

2019R-001846

RECORDED ON

01/23/2019 09:15:10 AM

BRANDON DENBY

REGISTER OF DEEDS

LIVINGSTON COUNTY, MI 48843

RECORDING: 26.00

REMON: 4.00

PAGES: 2

Received eRecord 1/23/2019 at 08:11 AM  
LivCo, MI ROD by

WARRANTY DEED

6718774

The Grantor(s): **Wendy Clevinger-EKA Wendy Helms**

whose address is 10339 Jennings Road, Grand Blanc, MI 48439

Convey and Warrant to: **Bailey Hessler, a Single Woman**

whose address is 125 Wallace Street, Williamston, MI 48895

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

**Lot 19, Little Berkley No. 2, according to the plat thereof, recorded in Liber 9 of Plats, Page 7, Livingston County Records.**

Commonly known as: **4229 W. Allen Road, Howell, MI 48855**

Tax parcel number(s): **06-05-202-019**

**For the sum of:** One Hundred Forty Thousand and 00/100 Dollars (\$140,000.00)

**Subject to:** easements and restrictive covenants, of record

STATE OF  
**MICHIGAN**

LIVINGSTON COUNTY  
01/23/2019  
2019R-001846



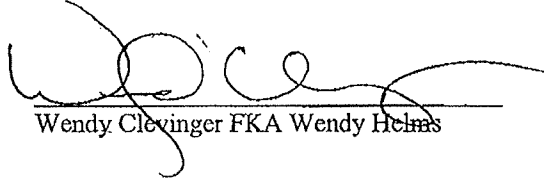
REAL ESTATE  
TRANSFER TAX

154.00 CO  
1,050.00 ST  
TTX # 6230753

(Attached to and becoming a part of the Warranty Deed dated December 21, 2018, File Number 414792-31 between Wendy Clevinger as Grantor(s) and Bailey Hessler as Grantee(s))

Dated: December 21, 2018

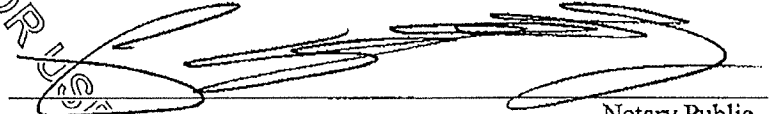
Seller(s):

  
Wendy Clevinger FKA Wendy Helms

STATE OF MICHIGAN )  
COUNTY OF Livingston ) SS.

Acknowledged by Wendy Clevinger FKA Wendy Helms, before me on the 21st day of December, 2018.

PATRICK P. HURLEY  
Notary Public, State of Michigan  
County Of Monroe  
My Commission Expires 08-13-2022  
Acting in the County of Livingston

  
Notary Public  
County,  
Michigan  
County  
Acting in \_\_\_\_\_  
My commission  
expires: \_\_\_\_\_

Drafted by: Wendy Clevinger FKA Wendy Helms 10339 Jennings Road, Grand Blanc, MI 48439

When recorded return to: Bailey Hessler, 4229 W. Allen Road, Howell MI 48855

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

March 10, 2025

Applicant: Bailey Hessler-Tolentino

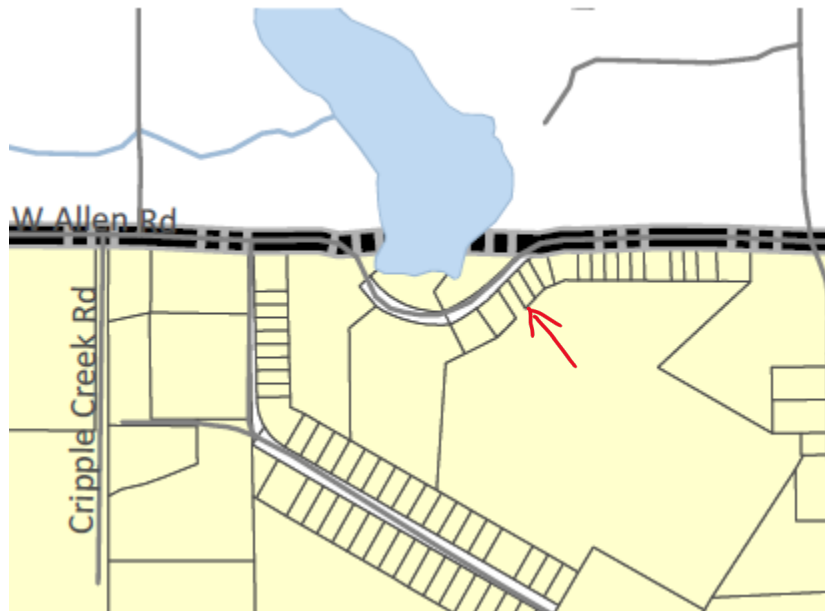
Property: 4229 W. Allen Rd., Howell, MI 48855. Parcel # 4706-05-202-019

**Request:**

To build an addition on an existing house within the property setback area.

**Background:**

The existing house was built in 1971. The current owner purchased the property in 2018. Parcel is .223 acres and is located in the AR zoning district.



**Findings of Fact:**

Current Zoning Ordinance regulations limit the size of parcels in the AR zoning district without access to municipal sewer and water to a minimum of 1-acre. The AR zoning district allows a maximum of 20% lot coverage. The current parcel has a lot coverage percentage just below 15%. Setbacks for the AR zoning district under section 3.17 and 4.06 are as follows:

Front	Side	Rear
50 feet from road R.O.W.	20 feet from each side	50 feet

The setbacks of the structure from the property lines are shown in orange, and the current setbacks of the AR zoning district are shown in blue in the image below:



### **Zoning Ordinance Standards**

The parcel is a legal nonconformity under Section 17 of the Zoning Ordinance; it does not meet the minimum size requirements and does not meet the setback requirements of the current Zoning Ordinance. The parcel currently conforms to the lot coverage requirements under the Ordinance. However, should the applicant build an addition to the house within the setbacks, they would be limited in the square footage of the addition and would exceed the lot coverage requirement.

Under Section 22.06-B the Zoning Board of Appeals must hear and decide on matters related to non-conforming uses and structures.

Under Section 22.07 the Zoning Board of Appeals shall 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. The Board 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 located.

Respectfully submitted,  
Jonathan Hohenstein  
Howell Township Zoning Administrator

## Howell Township Zoning Board of Appeals 2024 Annual Report

### Introduction

The Howell Township Zoning Board of Appeals is the body responsible for hearing and deciding questions that arise in the administration of the zoning ordinance, including the interpretation of the zoning maps, appeals from and review any administrative order, requirement, decision, or determination made by an administrative official or body charged with enforcement of the Zoning Ordinance.

The annual report of the ZBA increases information sharing between staff, boards, commissions, and the governing body. The report details and allows for greater anticipation of upcoming issues and priorities, providing for improved preparation and budgeting as necessary.

This report was prepared by the Howell Township Zoning Administrator.

### Membership

Planning Commission		Term Expiration
Ken Frenger, Chair		12.31.2026
Carol Weaver, Vice Chair		12.31.2026
Jim McEvoy, Secretary	Reappointed 12.9.24	12.31.2027
Jeff Smith, Board Rep.		11.20.2024
Wayne Williams, PC Rep.	Reappointed to PC 12.9.24	12.31.2027
Harold Melton		11.20.2024

### Zoning Board of Appeals Meetings

The ZBA met 5 times on the following dates:

February 20

April 16

May 21

August 20

September 17

### Requests Considered

Date, Section, Request		
February 20	Section 14.07	Variance to allow accessory building in front of the rear line of the house
April 16	Section 14.07	Variance to allow accessory building in front of the rear line of the house
April 16	Section 14.35, Section 26.05	Variance to allow a detention basin in a setback area

## 2024 Howell Township Zoning Board of Appeals Annual Report

May 21	Section 14.07	Variance to allow accessory building in front of the rear line of the house
August 20	Section 14.07	Variance to allow accessory building in front of the rear line of the house
Sept. 17	Section 14.07	Variance to allow accessory building in front of the rear line of the house
Sept. 17	Section 14.35	Variance to allow a detention basin in a setback area