

**City of Howell Board of Zoning Appeals**  
**January 28, 2021**  
**ZOOM Digital Meeting**  
**611 E. Grand River**  
**Howell, MI 48843**

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The meeting of the Board of Zoning Appeals was called to order by Chairperson Keith at 7:00 p.m.

BOARD MEMBERS PRESENT Alexander Clos, David Holmes, Ken Keith, Erin Britten, Victoria Hertrich, Jacob Schlittler and Randall Mattson.

All Board Members were participating by electronic means from Howell Michigan.

ALSO PRESENT: City Attorney Dennis Perkins, Community Development Director Timothy Schmitt and Deputy City Clerk Tonya Hubbard.

GUESTS: Steve Ambrose, Jeanette Ambrose, Kelly & Bill Hann, Chuck & Jan Reich, Lee Jacobs, Janine & William McEvoy, Gail Hubar & Cathy Blight.

**APPROVAL OF MINUTES OF SEPTEMBER 3, 2020**

**MOTION by Hertrich, SUPPORT by Mattson, “To approve the minutes of the September 3, 2020 meeting.” A roll call vote was taken. Holmes – yes, Hertrich – yes, Schlittler – yes, Mattson – yes, Clos – yes, Britten – yes, Keith – yes. MOTION CARRIED (7-0).**

**20-19 – 425 NORTH NATIONAL (PID: 4717-36-402-074) –ACCESSORY STRUCTURE SIZE AND NUMBER OF ACCESSORY STRUCTURE VARIANCES**

Chairperson Keith opened the public hearing at 7:04 pm, introduced the request and the applicant.

City Attorney Perkins stated he will mute himself and not be taking part in the discussion due to the fact that he gave legal advice to the applicants and feels there is a conflict of interest.

Jeanette Ambrose, 425 North National, stated they would like to put a two car addition on their existing garage. The Planning Commission has previously approved the living space on the second floor of the proposed garage.

Closed public hearing at 7:06 pm.

Member Clos thanked the applicants for the detailed information they provided the board in their packet.

**MOTION by Mattson, SUPPORT by Clos, “To approve the requested variances to allow for the expansion of the existing garage at 425 North National (PID #4717-36-402-074,) with the conditions listed and based on the findings of fact below:**

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**Required conditions:**

- **Building permits shall be required to be obtained prior to any construction occurring on the site.**

**Findings of fact:**

- A. That the restrictions of this Zoning Ordinance unreasonably prevent the owner from using the property for a permitted purpose of would render conformity unnecessarily burdensome;**
- B. That the variance would do substantial justice to the applicant as well as to other property owners in the district and a lesser relaxation than that requested would not give substantial relief to the owner of the property or be consistent with the justice to other property owners;**
- C. That the plight of the landowner is due to the unique circumstances of the property.**
- D. That the alleged hardship has not been created by any person presently having an interest in the property.”**

**A roll call vote was taken. Hertrich – yes, Schlittler – yes, Mattson – yes, Clos – yes, Britten – yes, Holmes – yes, Keith – yes. MOTION CARRIED (7-0).**

**#21-01 – VACANT LAKESIDE (PID: 4717-25-403-038) – FRONT YARD AND REAR YARD BUILDING SETBACK AND REAR YARD DECK SETBACK VARIANCES**

Chairperson Keith introduced the request and opened the public hearing at 7:09 pm.

Kelly Hann stated that she had put a contingent offer on the property, owned by William McEvoy and are seeking three variances to allow for the construction of a new, single-family home.

Discussion regarding the size of the surrounding homes and lots compared to the vacant parcel, the distance of the proposed home to the lake compared to the surrounding lots and parking concerns continued amongst the board and the applicant.

Chairperson Keith stated that he did not want to see the proposed home any closer to the lake or road than what the neighboring house was.

Member Hertrich questioned the parking, Member Mattson stated there is little parking and that most of the homes do not have front yards but rather driveways.

Lee Jacobs, 1245 Lakeside Dr., Stated their lot is about 30 feet from the lake, does not think that the drawings submitted to the board have enough information on them and asked the Board not to approve the request.

Chuck Reich and Jan Reich, 1254 Lakeside Drive stated he is concerned with their view being blocked, would like to see the proposed home closer to the road or possibly a different layout.

Janine & William McEvoy, 1212 Lakeside Dr., stated they purchased the lot 20 years ago and that there are numerous lots on the peninsula that are much smaller than the one in question. They would like to see the lot developed and feel that the variances should be granted.

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Gail Huber, 1245 Lakeside Dr., agrees that the size of the proposed deck is too large and will block the view of neighbors.

Cathy Blight, 1319 Lakeside Dr, Real Estate agent for this transaction. Stated the road was widened when the City put the sewers in and feels that the footprint that the Hanns are asking for is not that big and that the variance should be granted.

Mr. Reich stated he knew there would one day be a home built on the lot and asked if the plan could be altered.

Member Schlittler questioned grading and elevation and if the house would be on a crawl space, Mrs. Hann stated it would be a walkout basement and that the builders that they spoke to said the methods that would be used would ensure no grading or drainage issues.

Lee Jacobs, questioned the square footage of the proposed home and lot, Member Mattson responded 1400 sq. Ft. for home and Mr. Schmitt responded that the lot is 6,359 feet.

Closed public hearing at 8:02 pm.

Member Holmes stated that he doesn't think the size of the proposed home is unreasonable, or that the deck would block a lot of the view from the neighbors.

Discussion amongst board continued about overall elevation of house and possible changes to their plan.

City Attorney Perkins suggested postponing the variance decision to allow the applicants time to have new drawings submitted with changes regarding the size/location of the deck and stairs.

**MOTION by Mattson, SUPPORT by Clos, "To postpone the meeting with the idea of the applicants to submit a new drawing with new measurements regarding the deck and stairs so the board can properly assess the request and make a decision on the variance request."**  
**A roll call vote was taken. Schlittler – yes, Mattson – yes, Clos – yes, Britten – yes, Holmes – yes, Hertrich – yes, Keith – yes.**  
**MOTION CARRIED (7-0).**

**OTHER BUSINESS**

None.

**ADJOURN**

**MOTION by Hertrich, SUPPORT by Mattson, “To adjourn the meeting at 8:21 p.m.” A roll call vote was taken. Mattson – yes, Clos – yes, Britten – yes, Holmes – yes, Hertrich – yes, Schlittler – yes, Keith – yes.**

**MOTION CARRIED (7-0).**

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Tonya Hubbard, Deputy City Clerk