

**MARION TOWNSHIP  
ZONING BOARD OF APPEALS**

**The Township Zoning Board of Appeals will meet in person**

**August 12, 2024 at 7:30 pm**

However, there will be virtual access.

Instructions to participate in the meeting are posted on [www.mariontownship.com](http://www.mariontownship.com)

**AGENDA**

CALL TO ORDER

PLEDGE OF ALLEGIENCE

INTRODUCTION OF MEMBERS

APPROVAL OF AGENDA

August 12, 2024 Regular Meeting

APPROVAL OF MINUTES FOR:

May 6, 2024 Regular Meeting

CALL TO PUBLIC

NEW BUSINESS:

- 1) ZBA Case #02-24 Scott Hiltunen and Sherrie Borchardt seeking a variance to Section 6.07.3 Accessory Structure in Front Yard. 4710-21-100-031

UNFINISHED BUSINESS:

SPECIAL ORDERS:

CALL TO PUBLIC:

ADJOURNMENT:

Submitted by: S. Longstreet

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

MARION TOWNSHIP  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
MAY 6, 2024

MEMBERS PRESENT: Larry Fillinger, Linda Manson-Dempsey, Dan Lowe, Diane Bockhausen, and Larry Grunn

MEMBERS ABSENT: None

\*\*\*\*\*

CALL TO ORDER

Larry Fillinger called the meeting to order at 7:30 pm. The meeting is also available to attend online.

PLEDGE OF ALLEGIANCE

MEMBERS PRESENT

The Zoning Board of Appeals members introduced themselves.

APPROVAL OF AGENDA

Linda Manson-Dempsey motioned to approve the agenda. Larry Grunn seconded. **Motion carried.**

APPROVAL OF MINUTES

**November 13, 2023 Regular Meeting:** Linda Manson-Dempsey motioned to approve the minutes as presented. Diane Bockhausen seconded. **Motion carried.**

CALL TO THE PUBLIC

No response.

NEW BUSINESS

ZBA Case #01-24 Nikolaos & Amanda Cole, 3623 Black Eagle Drive, Tax Code #4710-22-101-010, seeking a variance to Section 6.07 1 Maximum Accessory Structure Size

David Bittner, attorney for the applicant, was present. He said the applicant is asking for a 1040 square foot variance to build an accessory structure; all setbacks can be met and the HOA has approved. Linda Manson-Dempsey and Diane Bockhausen said they visited the site, but were unable to see where the building is proposed. Dan Lowe said he feels it would be hard to justify this size building based on the criteria that needs to be met, with the exception of #5. Diane Bockhausen said that the attorney's responses to the five questions address the location of the building, but that's not what the variance request is for. The applicant said that he has a boat, trailer, several vehicles, and this size building would allow him to store them inside, not in the driveway.

Larry Fillinger said the ordinance would allow a 40' x 34 building and 40' x 60' is too large for this lot, and would the applicant consider reducing the size?

## Motion

Linda Manson-Dempsey motioned for ZBA Case #01-24 Nikolaos & Amanda Cole, 3623 Black Eagle Drive, Tax Code #4710-22-101-010, to deny the request for a 40' x 60' accessory structure, considering the following criteria:

1. **That the restrictions of the township zoning ordinance would unreasonably prevent the owner from using the property for a permitted use.** *The township restrictions aren't preventing the applicant from building an accessory structure.*
2. **That the variance would do substantial justice to the applicant and a lesser relaxation than that requested would not give a substantial relief to the owner of the property.** *There are no restrictions to building an accessory structure that's the size allowed in the ordinance.*
3. **That the request is due to the unique circumstances of the property.** *The size of the building allowed would fit despite the topography of the property.*
4. **That the alleged hardship has not been created by a property owner.** *There is no hardship in this case.*
5. **That the difficulty shall not be deemed solely economic.** *There are no known financial benefits.*

Diane Bockhausen seconded. Roll call vote: Manson-Dempsey—yes; Lowe—yes; Fillinger—no; Grunn—yes; Bockhausen—yes. **Motion to deny the request carried 4-1.**

## UNFINISHED BUSINESS

None.

## SPECIAL ORDERS

None.

## CALL TO THE PUBLIC

No response.

## ADJOURNMENT

Linda Manson-Dempsey motioned to adjourn at 8:15 pm. Larry Grunn seconded. **Motion carried.**

**APPLICATION TO ZONING BOARD OF APPEALS**

ZBA Case # #02-24 7710-21-100-031  
Tax Code \_\_\_\_\_  
Current Zoning RR  
Fee Paid 400  
Date Received 6.27.2007  
Received by DA

Applicant: SCOTT HILTUNEN  
Address 3389 SESAME DR HOWELL MI 48843  
Telephone 517-715-3950  
(Home) (Work)

Applicant is (check one):  Owner  Purchaser  Representative

*Purchaser or Representative needs a letter of permission from owner*

**Nature of Request:** (check applicable one)

- Administrative Review (per Section 5.05 A)
- Interpretation of Ordinance (per Section 5.05 B 1, 2, 3 or 4)
- Variance Request (see below)

1. Zoning Ordinance Section

6.07

- 2. Letter stating reason request should be granted (per Section 5.05 C)
- 3. Plot Plan—example and checklist attached (requirement per Section 4.03 D)
- 4. Required Livingston County Health Department evaluation

**Refer to checklist on last page for additional instructions**

**By signing this application, permission is granted for official representative(s) of Marion Township to do onsite inspections.**

Scott Hiltunen / Sherrill Borchardt 6.27.24  
Signature Date

**Office Use Only**

Meeting Date \_\_\_\_\_ Action Taken \_\_\_\_\_

Conditions (if applicable) \_\_\_\_\_

Signed \_\_\_\_\_

SAMPLE DOCUMENT ADDRESSING SECTION 5.05 C, ITEMS 1 THROUGH 5

1. How the restrictions of the Township Zoning Ordinance would unreasonably prevent the owner from using the property for a permitted use.

Due to the topography of the property, there is no possible way ~~there is~~ to build a pole barn in my backyard

2. How the variance would do substantial justice to the applicant and a lesser relaxation than that requested would not give substantial relief to the owner of the property.

We have no other choice of placement of a pole barn or any other structure.

3. How the unique circumstances of the property create the need for a variance.


would like barn close to drive for easy access. with limited tree removal, the amount of trees gives us the amount of privacy we enjoy.

4. How the alleged hardship was not created by the property owner

We had built our home 24 years ago, and built it back on the property on existing hill so we could have a walk-out basement.

5. The difficulty shall not be deemed solely economic.

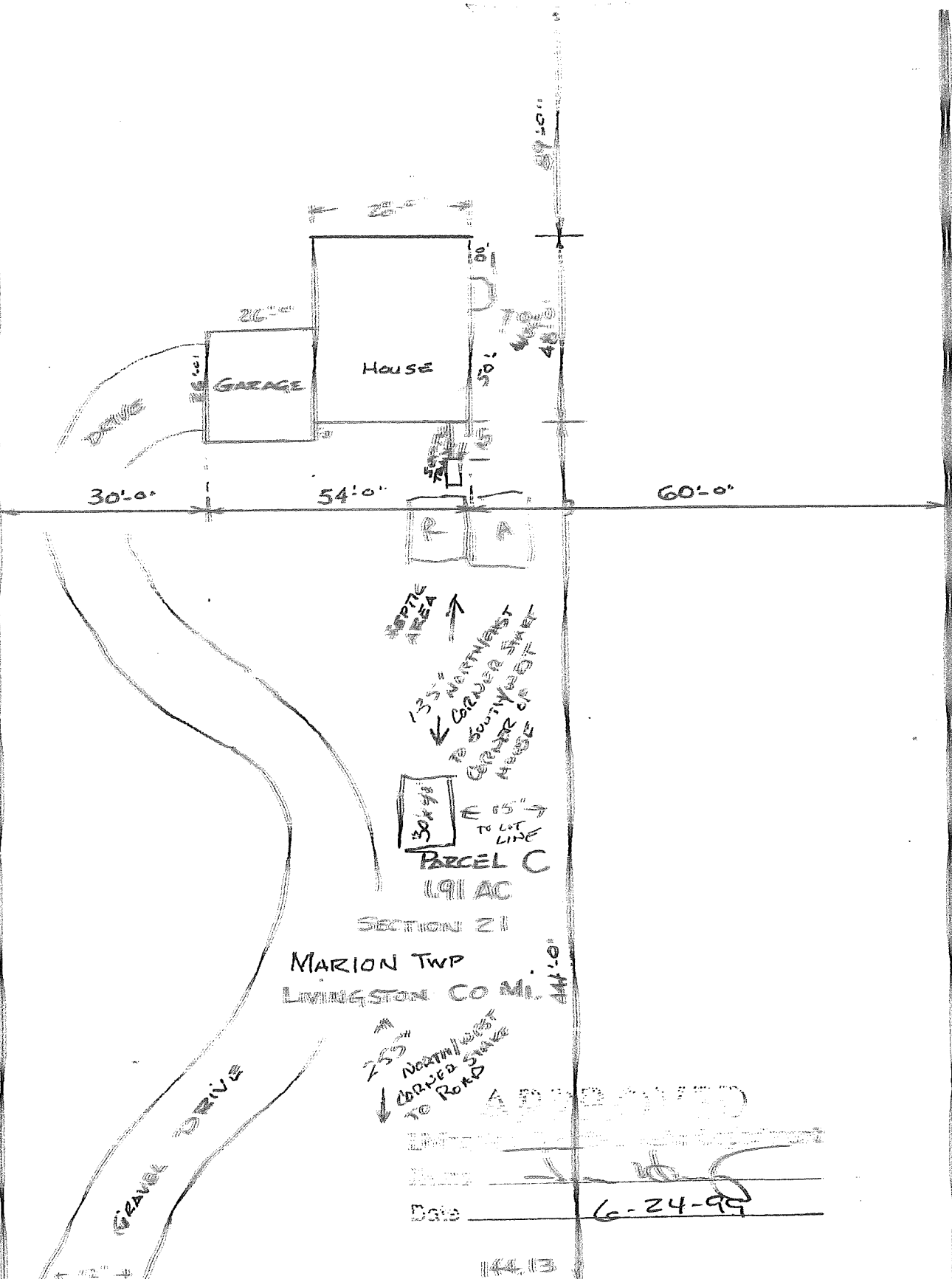
This barn is solely for my personal storage.

  
Signature

7-11-24  
Date

576' 0"

576' 0"



SECTION 21

MARION TWP  
LIVINGSTON CO MI.

7.5' NORTHWEST  
TO CORNER STAKE  
TO ROAD

APPROVED  
 \_\_\_\_\_  
 Date 6-24-99

144.13

CENTERLINE SESAME DR

66' WD

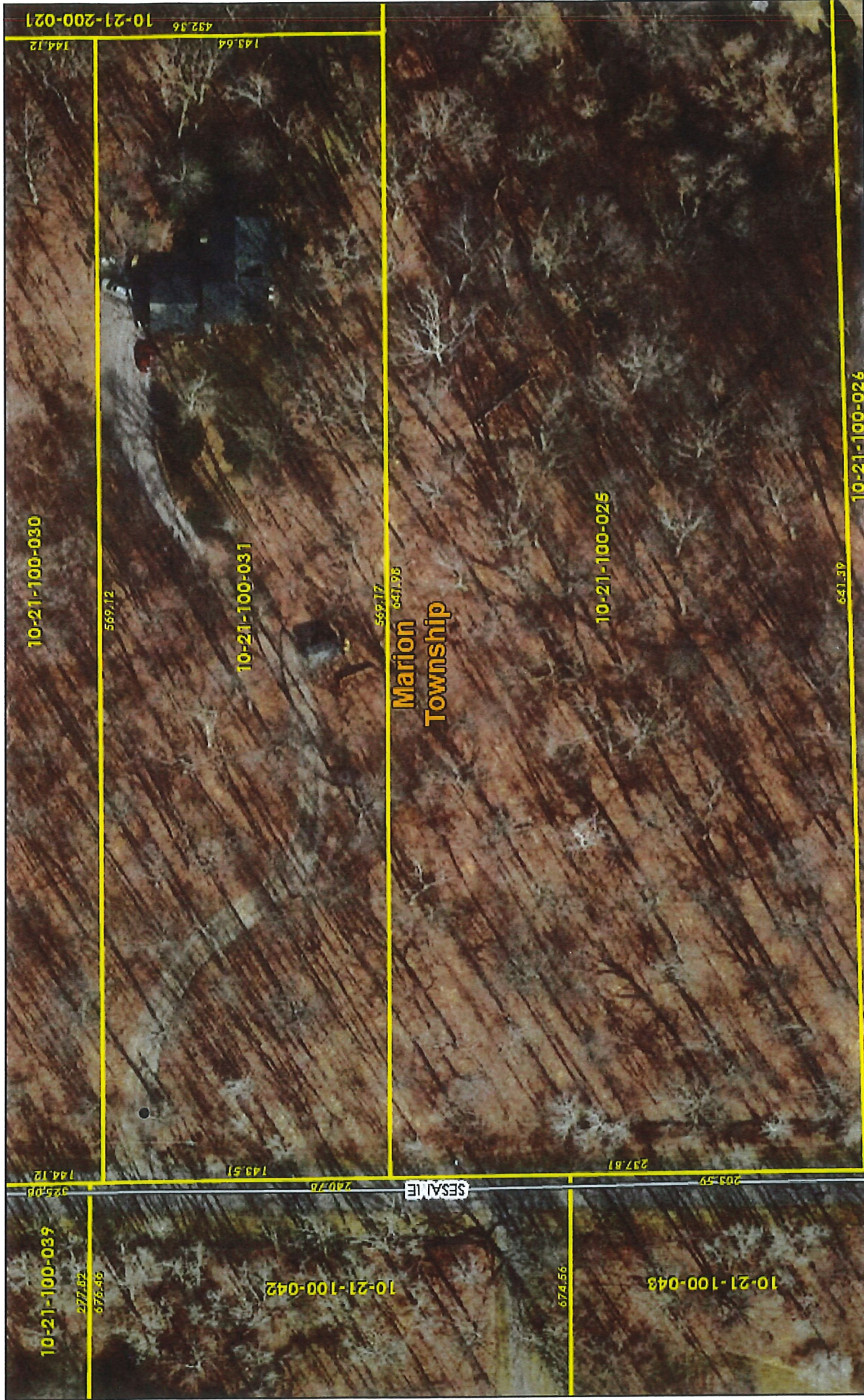
3389 Sesame Dr

# Plot Plan Checklist

- Street name(s) ~~33~~ LOVES CREEK / SESAME DR.
- Street address 3389 SESAME DR.
- Drawing scale (optional)
- North arrow
- Location of driveway and sidewalks
- Label existing buildings & structures and indicate usage HOUSE AND GARAGE / LIVING SPACE
- Label proposed buildings/structures and indicate usage 30'x40' POLE BARN / STORAGE
- Dimensions from existing buildings and structures to property lines
- Dimensions from proposed buildings/structures to property lines
- Dimensions of existing buildings and structures
- Dimensions of proposed buildings/structures 30'x40'
- Dimensions of property lines
- Location of well and septic
- Confirmation of lot lines with survey or location of irons

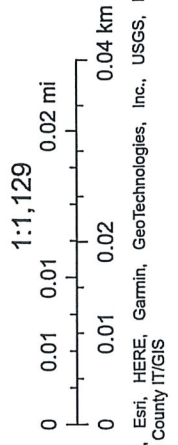


# Livingston County GIS Map



7/11/2024, 10:07:23 AM

- Tax Parcel
- PLSS Section
- Roads
- Minor Road
- Municipality



SEMCOG, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA,  
Livingston County IT/GIS

Livingston County IT/GIS  
Map information depicted is not intended to replace or substitute for any official or primary source. Boundary measurements and area calculations are approximate and should not be construed as survey measurements.





Livingston County Health Department

Environmental Health Division • Fax (517) 546-9853 • Phone (517) 546-9858

2300 East Grand River Ave • Howell, Michigan 48843-7579

SEWAGE DISPOSAL PERMIT

PERMIT NUMBER: 99-1137 NS

TAX ID#: 4710-21-100-031

TOWNSHIP: MARION

SECTION #: 21

PROPERTY ADDRESS: 3389 SESAME

HOWELL, MI 48843

LOCATED BETWEEN: COOM LAKE AND JEWELL RD.

SUBDIVISION:

LOT #: C

ACREAGE: 1.9

PARCEL #:

# OF BEDROOMS: 3

SCALED PLOT INCLUDED:

OWNER: BORCHARDT, SHERRIE

CONTRACTOR:

ADDRESS: 416 W. CRANE

ADDRESS:

CITY, STATE, ZIP: HOWELL, MI 48843

CITY, STATE, ZIP: ,

PHONE: 517/548-4787

PHONE: / -

ENVIRONMENTAL SANITARIAN: *[Signature]*

DATE: 6-24-99

THIS PERMIT EXPIRES TWO YEARS FROM DATE OF ISSUANCE

MUNICIPAL WELL:

PRIVATE WELL:

RESIDENTIAL OR COMMERCIAL PROPERTY: R

INFO DESCRIPTION COMMENTS

- 0 -SOIL ID # S24,975
- 0 -TANK SIZE 1500W/FILTER
- 0 -ABSORP BED 1200 SQ FT
- 0 -%CUTDOWN REQ 100%
- 0 -DEPTH/CUTDOWN +/- 9 FT
- 0 -FILL REQUIRED YES
- 0 -FILL/DEPTH +/- 6-7 FT

SPECIAL REQTS: LOCATE SYSTEM IN THE AREA OF THE SOIL BORINGS. 100% CUTDOWN TO FINE TO MEDIUM SAND ENCOUNTERED @ +/- 9 FT. BACKFILL WITH CLEAN SHARP SAND. LAY SYSTEM. 1 FT MIN COVER 2 FT MAX.

REQUIRED INSP: 1. CUTDOWN  
2. FINAL

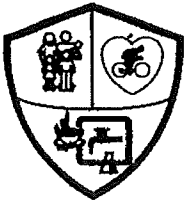
*See p 4-25  
5-27-99*

FINAL APPROVAL:  
ENVIRONMENTAL SANITARIAN

*[Signature]*

DATE 11-16-99

MARION  
01  
3389 SESAME  
99-1137NS



# LIVINGSTON COUNTY HEALTH DEPARTMENT

ENVIRONMENTAL HEALTH DIVISION

2300 E Grand River • Howell, Michigan 48843-7579

(517) 546-9858 • Fax (517) 546-9853

## Application to Install Sewage Disposal and/or Water Supply Facilities For Single or Two Family Dwellings Only

Please Print or Type - See Reverse Side

Septic Permit # 99-1137 NS  
Well Permit # 99-1137 NW

New Construction     Replacement

### I. LOCATION OF BUILDING

Address 3389 Sesame Phone (517) 548-4787

City/Village Howell Zip Code 48843 Township Marion Section # 21

Between Coon Lake and Jewell Rd

Subdivision \_\_\_\_\_ Lot(s) # \_\_\_\_\_

Acreage 1.9 Parcel # C

No of Bedrooms 3 Tax Code # 4710 21-100-031

Den/Office room proposed  yes  no

Will the plumbing elevation be lower than the septic tank making it necessary to install a sewage lift pump  
 yes  no

### A. OWNER

Name Sherrie Borchardt Phone (517) 548-4787

Address 416 W Crane

City/State Howell MI Zip Code 48843

### B. CONTRACTOR for Sewage Disposal System

Name E+W Excavating Phone ( ) \_\_\_\_\_

Address \_\_\_\_\_

City/State \_\_\_\_\_ Zip Code \_\_\_\_\_

### C. CONTRACTOR for Water Supply

Name Adams Well Drilling Phone ( ) \_\_\_\_\_

Address \_\_\_\_\_

City/State Brighton MI Zip Code 48116

### D. BUILDER

Name \_\_\_\_\_ Phone ( ) \_\_\_\_\_

Address \_\_\_\_\_

City/State \_\_\_\_\_ Zip Code \_\_\_\_\_

I hereby apply for this permit and have authorization to do so I understand this is a construction permit only and the sewage disposal system and/or well is not to be put into service until final written approval has been granted I further state the information given herein is accurate and complete

Sherrie Borchardt Applicant's Signature      6-21-99 Date

\*\*\*\*\*For Office Use Only\*\*\*\*\*

Receipt # 137965 Amount \$ 230- Payer BORCHARDT

CK# 2470

Livingston County Health Department-Environmental Health Division

2300 E Grand River, Howell, Michigan 48843-7579

Fax (517) 546-9853 • Phone (517) 546-9858

HOMEOWNER INFORMATION SHEET FOR WATER SUPPLY  
AND/OR SEWAGE DISPOSAL FACILITIES

The following sketch represents the location of the on-site sewage disposal system and/or water well supply for the dwelling located at

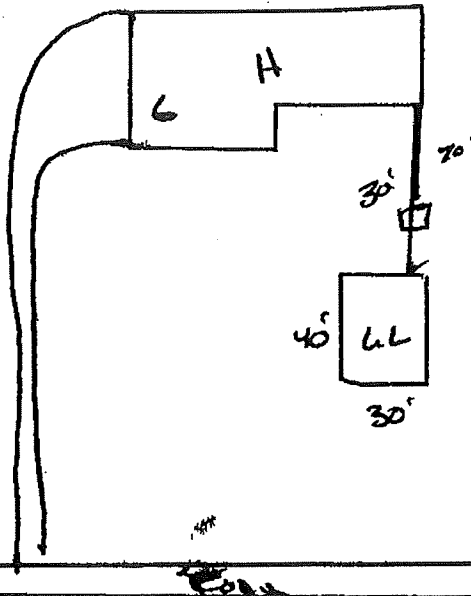
Address 3389 SESAME Township Maclin Section No 21  
City Howell State MI Zip 48843

Septic Tank Size 1500 GAC

Dimensions of System 30 x 40

Absorption Bed/Trench 1200'

No of Lines 6 Lines



Well Driller \_\_\_\_\_ Sewage Disposal Contractor SHIELDS

Water Supply Approved \_\_\_\_\_ Date \_\_\_\_\_ Sewage Disposal Facilities Approved [Signature] 11-16-99 Date

Inspecting Sanitarian \_\_\_\_\_

Please read the attached information regarding maintenance and care of the on-site sewage disposal facilities. The on-site sewage disposal system was inspected and approved in accordance with the Livingston County Sanitary Code. The water supply system was approved after reviewing the well log submitted by the well driller and receiving acceptable water quality analysis. If you did not receive a copy of your well log from the driller, please contact the Environmental Health Division of the Livingston County Health Department.

Since many interrelating factors contribute to the failure of a sewage disposal system and/or changes in water quality, approval cannot be considered as a guarantee by the Environmental Health Division that successful operation or quality of drinking water is assured. On-site sewage disposal systems under the best of installation conditions and practices are in no way the equivalent of municipal sewer collection and treatment facilities.

95763

Receipt No

Livingston County Health Department  
204 S Highlander Way, Howell, Michigan 48843  
(517) 546-9850

S24 975

ID No

Prop Description No

**SOILS EVALUATION—  
SUBSURFACE SEWAGE DISPOSAL SYSTEMS**

Location and Directions Sesame Marion 21

McCall Homes  
Owner

Same  
Requestor

Sesame  
Location

Marion  
Township

21  
Section No

Subdivision/Acreage

Lot/Parcel

SOIL DESCRIPTION			SKETCH		
Ft	(1)	(2)	Ft		
1	Topsoil	Topsoil	1		
2	Clay loam	Clay loam	2		
3			3		
4			4		
5			5		
6	Medium Sand (dry)	Fine Sand (dry)	6		
7			7		
8			8		
9			9		
10			10		<input type="checkbox"/> Suitable <input type="checkbox"/> Unsuitable <input checked="" type="checkbox"/> Suitable with Special Restrictions #1 & #2 <input type="checkbox"/> Further Info Needed (Refer to Comments)
11			11		
12			12		

Comments locate system in area of borings #1 & #2, 100% cut down to the permeable soils (sand) most likely to be encountered at 9 ft. Backfill with clean sharp sand as needed. Install system, 12 inches min cover 36 inches max. Inspections 1) cut down 2) Final

Nancy Muel  
Environmental Health Representative

8-28-95  
Date

Soils evaluation based on criteria stated in Livingston County Sanitary Code, effective May 1, 1986

This is NOT a permit. A suitable soils rating is NOT a guarantee that a permit to construct an on-site subsurface sewage disposal system will be granted. Changing conditions that might result in permit denial are explained in more detail on the reverse side.





