

TYRONE TOWNSHIP ZONING BOARD OF APPEALS
APPROVED MEETING MINUTES
March 8, 2021

CALL TO ORDER

Chairman Greg Carnes called the Zoning Board of Appeals Meeting to order on March 8, 2021, at 7:01 PM via Zoom Teleconferencing.

ROLL CALL

Present: Chairman Greg Carnes, Vice-Chairman Joe Trollman, Commissioners Richard Erickson, Don Bunka, and Tim Scarberry.

Guests: Tyrone Township Planning & Zoning Assistant Karie Carter

APPROVAL OF THE FEBRUARY 8, 2021 MINUTES

Motioned by Bunka, supported by Erickson. Motion Carried.

READING OF PUBLIC NOTICE

Karie Carter read aloud the public notice for tonight's meeting, which was published Sunday, February 21st, 2021, in the Tri-County Times and posted at the Tyrone Township Hall in compliance with the Open Meeting Act.

NEW BUSINESS

Carter explained that the public notice for appeal number one was incorrectly written as a proposed *unattached* garage; the appeal is for an *attached* garage.

APPEAL NO. 1: A request by Mitch & Suzanne Lipon for a 3-foot, 11-inch north side yard setback variance to build an unattached garage and a 4-foot north side yard setback variance to add a landing & steps to a proposed deck and a 2-foot south side yard setback variance to build a deck located at 6110 Bullard Road, Fenton, Michigan 48430, Parcel ID: 4704-34-401-042. The property is zoned LK-1, Lake-Front Residential. Reference Tyrone Township Zoning Ordinance No. 36 – Section 20.01 Schedule of Regulations (inclusive of building setbacks, height, and minimum lot width & lot area).

COMMENTS BY APPLICANT

Mr. Lipon explained that they would be using the same footprint as the existing garage and extending it approximately 8-10' in order to connect it to their existing home. Carnes asked if they would be increasing the nonconformity by making it longer and not extending further into the setbacks and Mr. Lipon stated that he would not increase the setback nonconformity. He went on to explain that he would be extending their deck and moving the steps to the other side of the property and adding a landing for safety, which requires a 4-foot variance. The landing is part of the deck.

BOARD QUESTIONS AND COMMENTS

Erickson asked if the side where the deck would be extended was used to get to the lake. He said it looks like it's a bit tight. Mr. Lipon said that there was almost 20-feet on that side and it would be easy to get through there to the lake. Bunka asked if the stairway was going to go from the left-hand side of the porch to the right-hand side of the porch from the lake. Mr. Lipon said that it would be, and there is more room on that side.

Carnes asked if there was any written correspondence from any third parties. Carter stated that no correspondence was received regarding this application. Carnes called to the audience for comments, there were none.

Erickson asked for clarification that the distance between the deck and the lake was not going to be less than the 60-feet shown on the site plan. Mr. Lipon confirmed that it would not be.

CONSIDERATION OF ACTION

Bunka moved to approve the variance requests. Scarberry seconded. The motion carried.

APPEAL NO. 2: A request by Clayton & Diane Putnam for 3-foot, 4-inch south side yard setback and a 27-foot front yard setback in order to build an unattached garage located at 10393 Lake Shore Drive, Fenton, Michigan 48430, Parcel ID: 4704-09-402-006. The property is zoned LK-1, Lake Front Residential. Ref. Tyrone Township Zoning Ordinance No. 36 - Section 20.01 Schedule of Regulations (inclusive of building setbacks, height, and minimum lot width & lot area).

COMMENTS BY APPLICANT

Mr. Putnam explained that he wants to build a detached 24 x 30 garage. His lot is pie shaped and on a 90-degree corner. There is a 48 x 24 home with an attached 20 x 24 garage on the property. He said he wants to build a detached garage to provide additional space for storage. The reason for the variance is because the pie shape lot makes it difficult to meet the LK-1 zoning requirements.

BOARD QUESTIONS AND COMMENTS

Carnes asked if the variance was in just one corner. Mr. Lipon said he needed the road variance, as well. Carnes said he wasn't as concerned with the road side as there is not a lot of traffic. Mr. Lipon said the 8-foot he measured is where the road is currently. Over time the road was cut in, so it's not a 90-degree now. He said his variance is probably less than he is requesting, but the reality is the road would be eight feet from the side wall of the garage. Commissioner Tim Scarberry stated that he drove by the property and the property to the north has an addition that comes out virtually the same as what these applicants are looking for and it makes sense to line them up this way. Carnes asked if they'd received RLHAI approval. Mr. Putnam stated he did receive approval and turned it in; Carter said it was included in their packets.

Carnes asked Carter if there had been any correspondence received regarding this application. She stated that no written correspondence was received, but she did receive a phone call from Catherine Knoop who was representing a neighbor on that street. Ms. Knoop was present at the meeting and introduced herself. She said she represented the trust for Gordon Gregory Michael. They are totally supportive of them putting in the new garage, but they want to be sure that, because they are below grade, any run off will go towards the lake and not towards the road. They are home at the very end of the lane and there is a tremendous amount of water that comes down in the spring and fall. Mr. Putnam answered that if you drive by his house, the property is higher than the road; there is a rock wall on that corner. The fall is to the lake and he understands that there has to be a water plan for anyone who is putting anything in in that area. He said that it is fairly dry where he putting the garage. The main water problem is actually on his neighbor's yard; there is a rock drain that runs down and all of it goes into the lake. Ms. Knoop said that was what they presumed, but she just wanted to confirm it as a representative of Mr. Michael's trust.

Erickson asked about the rock drain and whether a vehicle would be able to get down there if needed. Mr. Lipon said that any vehicle besides a track vehicle should not drive down there. This is the case throughout Lake Shore. Bunka asked what the fire department feels about not having access to the front of the buildings there. Mr. Putnam said he's never asked the fire department about that. Ms. Knoop stated that they had to call for rescue at their cottage and they had no issue coming down the lane.

CONSIDERATION OF ACTION

Erickson moved to approve the variance request. Trollman seconded. The motion carried.

APPEAL NO. 3: A request by Brandon & Alexandria Gaynier for a 5-foot east side yard setback variance, a 5-foot west side yard setback variance, and a 14-foot front yard setback variance in order to build a new single-family residence located on Ledgewood Drive in Fenton, Michigan, Parcel ID: 4704-30-101-018. The property is zoned R-1, Single-Family Residential. Reference Tyrone Township Zoning Ordinance No. 36 - Section 20.01 Schedule of Regulations (inclusive of building setbacks, height, and minimum lot width & lot area).

The applicants for appeal number three were not present for this appeal. Carnes stated that he would like a motion to table the appeal.

CONSIDERATION OF ACTION

Erickson moved to table the appeal until they can communicate with the applicant. Bunka supported. The motion carried.

UNFINISHED BUSINESS

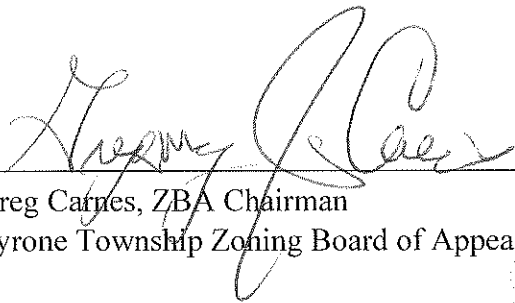
None

MISCELLANEOUS BUSINESS

None

ADJOURNMENT

Meeting was adjourned at 7:39 PM by Carnes.



Greg Carnes, ZBA Chairman
Tyrone Township Zoning Board of Appeals

cc File

Tyrone Township Clerk
Tyrone Township Zoning Administrator
Tyrone Township Zoning Board of Appeals Commissioners