

**TYRONE TOWNSHIP ZONING BOARD OF APPEALS**  
**MEETING MINUTES**  
**SEPTEMBER 9, 2019**

**CALL TO ORDER**

Vice-Chairman Joe Trollman called the Zoning Board of Appeals Meeting to order on September 9, 2019, at 7:06 PM at the Tyrone Township Hall.

**ROLL CALL**

*Present:* Vice Chairman Joe Trollman, Commissioners Mark Meisel, Don LoVasco and Don Bunka. *Absent:* Chairman Greg Carnes, Commissioner Jon Ward.

*Guest:* Planning & Zoning Assistant Karie Carter

**READING OF THE PUBLIC NOTICE**

Planning & Zoning Assistant Karie Carter read aloud the public notice for tonight's meeting, which was published in the Tri-County Times on Sunday, August 25, 2019, in compliance with the Open Meeting Act, and was posted at the Tyrone Township Hall.

**NEW BUSINESS**

**APPEAL NO. 1: Ref. Tyrone Township Zoning Ordinance No. 36 – Section 20.01 (Schedule of Regulations)**

A request by David Rago and Theresa Meisner Rago for a 13.5-foot east side yard setback variance and a six-foot (6') east side yard setback to build an addition onto their existing dwelling located at 7485 Ore Knob Court, Fenton, Michigan 48430, Parcel ID: 4704-30-103-003. The property is zoned R-1, Single Family Residential. Reference requirements set forth in Article 5 – R-1 Single Family Residential District, and Article 20 – Schedule of Regulations, inclusive of building setbacks, height, percent lot coverage, and sight lines.

**COMMENTS BY APPLICANT**

Mrs. Rago explained that their house is on a pie-shaped lot and the bedrooms are very small. They originally wanted to add on to the back which is the lakeside, and they were told they could not because of the 50' rear yard setback requirement. Their builder recommended they try to expand to the side of the house. Mr. Rago said they wanted to turn what they are using as a master bedroom into a master suite.

**COMMENTS AND QUESTIONS BY ZONING BOARD OF APPEALS MEMBERS**

Board members discussed the variance request. They reviewed the letters that the appellants provided from Livingston County Building Department, Consumers Energy, and the Lake Shannon Architectural Control Committee. They had been unsuccessful in receiving a response

from the Hartland Fire Chief. Meisel indicated the variance could be granted conditional upon receiving the approval of the fire chief.

### PUBLIC COMMENTS

No public comments were received. There were no objections from neighbors.

### CONSIDERATION OF ACTION

Motioned by LoVasco, seconded by Bunka to grant the variance request by David & Theresa Rago for a 13.5-foot east side yard setback variance and a six-foot (6') east side yard setback to build an addition onto their existing dwelling located at 7485 Ore Knob Court, Fenton, Michigan 48430, Parcel ID: 4704-30-103-003, for the following findings of fact:

**Unreasonable Burden:** The existing home was built in 1972 in compliance with zoning and building regulations in effect at that time and with the consent of the Lake Shannon Architectural Control Committee or the original developer. Area for expansion of the home is limited due to septic location and topography and distance to the water in the rear, proximity of the structure to the roadway, and the shape of the lot. The requested expansion will result in a structure that is substantially similar to neighboring homes.

**Substantial Justice:** The appellant has obtained consent from the Livingston County Building Department and the Lake Shannon Architectural Control Committee, the latter having deed-restricted control of development within its territory. The proposed addition will not alter the character of the immediate area and will be constructed to match the home's current style and materials. No objections from neighbors were received.

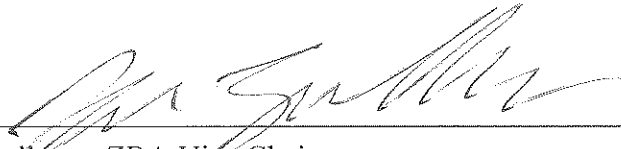
**Minimum Variance Required:** It is the opinion of the ZBA the variance being granted represents the minimum variance required to result in reasonable coexistence with the adjacent neighbors, and to reasonably match existing adjacent development.

**Extraordinary Circumstances:** The existing home was built in 1972 in compliance with zoning and building regulations in effect at that time and with the consent of the Lake Shannon Architectural Control Committee or the original developer. Area for expansion of the home is limited due to septic location and topography in the rear, proximity of the structure to the roadway, and the shape of the lot. The requested expansion will result in a structure that is substantially similar to neighboring homes.

**Health and Safety:** Granting this variance does not alter or negatively impact the satisfactory health and safety of the immediate area.

### ADJOURNMENT

The meeting was adjourned at 7:25 pm



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Joe Trollman, ZBA Vice Chairman  
Tyrone Township Zoning Board of Appeals

cc File  
Tyrone Township Clerk  
Tyrone Township Zoning Administrator  
Tyrone Township Board of Appeals