

**TYRONE TOWNSHIP ZONING BOARD OF APPEALS**  
**APPROVED MEETING MINUTES**  
**September 14, 2020**

**CALL TO ORDER**

Chairman Greg Carnes called the Zoning Board of Appeals Meeting to order on September 14, 2020, at 7:03 PM, which was conducted via Zoom Teleconference.

**ROLL CALL**

*Present:* Chairman Greg Carnes, Commissioners Joe Trollman and Don Bunka.

**APPROVAL OF THE AUGUST 10, 2020 MINUTES**

*Motioned by Trollman, supported by Bunka. Motion Carried.*

**READING OF PUBLIC NOTICE**

Planning & Zoning Assistant Karie Carter read aloud the public notice for tonight's meeting, which was published Sunday, August 30<sup>th</sup>, 2020, in the Tri-County Times and posted at the Tyrone Township Hall in compliance with the Open Meeting Act.

**NEW BUSINESS**

**APPEAL NO. 1:** A request by Antonio & Karen Franchi for a 5.77-foot east side yard setback variance and a two-foot (2') west side yard setback to build a new home located at 10534 Runyan Lake Point, Fenton, Michigan 48430, Parcel ID: 4704-09-204-055. The property is zoned LK-1, Lake Front Residential. Reference Tyrone Township Zoning Ordinance No. 36, Article 7 – LK-1 Zoning, Article 20 – Schedule of Regulations, inclusive of building setbacks, height, and sightlines.

**COMMENTS BY APPLICANT**

Mr. & Mrs. Franchi explained that this property has been in the family for around 65 years and they want to make it their permanent, year-round home. By rebuilding this cottage, they will be reducing the nonconformity. They will be further from the neighbor's property line and 15' feet back from the water. Their builder, Scott Tarkleson, said that he wants to build the new home so that it will be as non-intrusive to the neighbors as possible. They designed the skinniest house they could make work and did what they could to bring it more into compliance. The current house is right on the property line, the new one will not be.

A letter of support from neighbor Nancy Donovan, of 10534 Runyan Lake Point, was sent to the township.

## **BOARD QUESTIONS AND COMMENTS**

Commissioner Bunka asked about the distance between the new house and the lot line. Mr. Tarkleson stated that it would be 9.46' away from the lot line which is a big improvement. Currently, the east corner of the house sits on the lot line. Bunka also asked where the deck would be, and Mr. Tarkleson said it would be on the south side of the house.

Chairman Carnes stated that they are improving a non-conforming situation and Commissioner Trollman said that he felt it was a total improvement.

## **PUBLIC COMMENTS**

Tim Brower, co-owner of the property adjacent to the Franchis, said that he supports their new construction. There were no objections received.

## **CONSIDERATION OF ACTION**

Board members discussed the variance request.

Commissioner Bunka moved to grant the variance request and Commissioner Trollman seconded. The motion carried.

**APPEAL NO. 2:** A request by Garrett & Samantha Ladd for a yard location variance to allow an existing barn to remain on their property located at 10310 Hartland Road, Fenton, Michigan, Parcel ID: 4704-10-400-020. The construction of a new home will result in the barn being located in the front yard. The property is zoned RE – Rural Estates. Reference requirements set forth in Tyrone Township Zoning Ordinance No. 36, Article 4 – FR/RE Zoning, Article 20 – Schedule of Regulations, inclusive of building setbacks, height, and sightlines, and Section 21.02 – Accessory Buildings and Structures.

**COMMENTS BY APPLICANT** Mr. Ladd stated that they started building their new home last August and decided to build behind the barn because of a couple of hardships in the front of the property that they had discovered. The old house that was there had been burned down by the Fenton City Fire Department, and the foundation remains. Another part of the property had a pond that was once used for cows, there is some water there currently. There was another barn on the south side of the property where just the foundation remains. The back of the property is more secluded and private. He also didn't want to have his home too close to Hartland Road as it would pose a danger to his children. He would like to keep the current barn in the front yard location. He said it is historical and in good shape. He also stated that he didn't plan financially to tear it down. He will fix it up to make it more appealing to the eye. He also stated that there were numerous letters of support from the surrounding area.

## **BOARD QUESTIONS AND COMMENTS**

Bunka asked how the issue of the barn came up. Mr. Ladd said when he went to get his Land Use Permit, Planning & Zoning Administrator Ross Nicholson said that if he kept it as is, it would keep them from moving in if they didn't apply for a variance. Trollman said he has memories of going with his dad to do house calls and remembers seeing that barn. It's been there for the past

60+ years. Carnes said that he felt the Historical Society would not be too happy if it got torn down.

### **PUBLIC COMMENTS**

Gregg Ladd said that the barn is structurally sound. He wondered why existing outbuildings couldn't be reviewed before deciding to tear them down. It's a very functional building.

Arndt Weierstahl said he felt it was a great building and the Ladds should be allowed to keep it.

There were no rejections from the public.

### **CONSIDERATION OF ACTION**

Board members discussed the variance request.

Commissioner Bunka moved to grant the variance request and Commissioner Trollman seconded. The motion carried.

**APPEAL NO. 3:** A request by Arndt Weierstahl for a 10' south side yard variance to build a new garage located at 10363 Hartland Road, Fenton, Michigan 48430, Parcel ID: 4704-10-200-018. The property is zoned RE – Rural Estates. Reference requirements set forth in Article 20 – Schedule of Regulations, inclusive of building setbacks, height, and sightlines.

### **COMMENTS BY APPLICANT**

Mr. Weierstahl said he originally tried to purchase a part of his neighbor's property but was unable to do so because his property is already nonconforming. He said that a boundary realignment would make an odd-shaped lot and he didn't want that, either. The property falls off sharply behind his house and there are many mature oak trees that he did not want to have to cut down. He said he made it as small as he logistically could to make it functional. He said the property is almost parallel to Hartland Road, some of his driveway is on the neighbor's property.

### **BOARD QUESTIONS AND COMMENTS**

Carnes asked where the septic was and Mr. Weierstahl indicated that it was to the front of the house. Carnes asked if he could go back further on the property to build the garage. Mr. Weierstahl said the grade drops off fast. As it is, he already has to add fill there. Bunka asked if there were any letters of support from his neighbor. Mr. Weierstahl said the neighbor, Mr. Bush, has been working with him to try to help him get this garage built. He is the neighbor that was going to sell some of his property or do a boundary realignment with him. Mr. Weierstahl said there were two giant trees at the northeast corner of the property and also that the wellhead was there. Carnes said he wished the setback variance could be reduced so it's not 10'. He said we like to keep the rural character and keep buildings off the lot lines. Bunka said he can't put the garage on the north side because of the septic. Mr. Weierstahl said there is a deep ravine at the north side of the property and it drops down 30'. He has a 12 x 16 building on the north side also. Trollman asked how close the first oak tree was to the proposed garage; Weierstahl said it's being built right up to the tree.

**PUBLIC COMMENTS**

No comments were received.

**CONSIDERATION OF ACTION**

Board members discussed the variance request. Carnes said you don't want to cut down 100-year-old trees. They all agreed there were no other options.

Trollman moved to grant the variance request and Bunka seconded. The motion carried.

**MISCELLANEOUS BUSINESS**

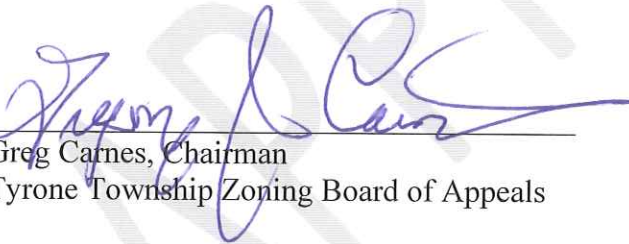
Approval of the revisions made to the ZBA application packet.

Minor revisions were made to the ZBA application packet, including changing the number of appeals permitted per meeting from 4-5 to 3. Other grammatical errors were corrected and the application was cleaned up to be easier to read and filled out.

Trollman moved to approve the revisions, Bunka seconded. The motion carried.

**ADJOURNMENT**

The meeting was adjourned at 8:25 PM by Carnes



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Greg Carnes, Chairman  
Tyrone Township Zoning Board of Appeals

cc File

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