

1 **TYRONE TOWNSHIP ZONING BOARD OF APPEALS**  
2 **APPROVED MEETING MINUTES KC**  
3 **MARCH 13, 2023**  
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6 **CALL TO ORDER**  
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8 Vice-Chairman Joe Trollman called the Zoning Board of Appeals meeting to order on March 13,  
9 2023, at 7:05 pm at the Tyrone Township Hall.

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11 **ROLL CALL**  
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13 Present: Vice-Chairman Joe Trollman, Commissioners Tim Scarberry, Don Bunka, Rich  
14 Erickson, and Chet Schultz.

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16 Also present: Karie Carter

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18 Absent: Chairman Greg Carnes  
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20 **APPROVAL OF THE MINUTES**  
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22 **January 9, 2023:** Motioned by Commissioner Rich Erickson, supported by Commissioner Tim  
23 Scarberry. Motion carried.

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25 Karie Carter read aloud the first appeal.  
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27 **APPEAL NO. 1:** A request by William White for a 62-foot front yard setback variance to extend  
28 his living room and add a porch to his house located at 8239 Bennett Lake Road, Fenton, MI  
29 48430, Parcel ID: 4704-06-100-005. The property is zoned RE, Rural Estate. Reference Tyrone  
30 Township Zoning Ordinance No. 36, Section 20.01, Schedule of Regulations.  
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32 **COMMENTS BY APPLICANT**  
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34 Mr. William White explained his request to the board. He explained that his living room is too  
35 small, and he wants to add value to his home. He said he would not be extending out any further  
36 than any of his neighbors.  
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38 **BOARD QUESTIONS AND COMMENTS**  
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40 Commissioner Scarberry stated that he drove by the house and saw that the extension would be  
41 flush with the neighbor's house. Mr. White presented a letter from his neighbor showing support  
42 for his variance request.  
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44 Commissioner Erickson asked if there was any way to add onto the house either on the back or  
45 the sides. Mr. White explained that he can't do either side because one side has a driveway and

46 the other is a bathroom & bedroom. The back of the house is the kitchen and dining room, and he  
47 only wants to enlarge his living room.

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49 **CONSIDERATION OF ACTION**

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51 Commissioner Scarberry moved to approve the applicant's request for a 62-foot front yard  
52 setback to extend his living room and add a porch to his house at 8239 Bennett Lake Road,  
53 Fenton, MI 48430. Commissioner Don Bunka seconded. The motion carried by unanimous vote.

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55 **APPEAL NO. 2:** A previously tabled request by Nicholas Walsh for a front yard location variance  
56 and a 59.2-foot front yard setback variance to build a 40' x 80' pole barn located at 12277 Overlook  
57 Dr. Fenton, MI 48430. Parcel ID: 4704-11-100-033. The property is Zoned RE, Rural Estate,  
58 Reference Tyrone Township Zoning Ordinance No. 36 – Section 20.01, Schedule of Regulations,  
59 and Section 21.02.B.2.c.

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61 Commissioner Bunka moved to rescind the tabled motion and reopen the appeal. Commissioner  
62 Scarberry seconded. The motion carried.

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64 **COMMENTS BY THE APPLICANT**

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66 Michael Gildner, attorney for the applicant, summarized the request. He said there were two  
67 main concerns of neighbors. The first concern is that they will see the barn. He said no matter  
68 where the barn is built, there will be at least one neighbor who can see it. The second concern is  
69 drainage issues. He said the pole barn itself isn't an issue with drainage. The berm that was built  
70 has nothing to do with this variance request to build a pole barn. He said they intended to put in a  
71 swale and suggested the board could grant approval conditional upon the installation of a swale.

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73 **BOARD QUESTIONS AND COMMENTS**

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75 Commissioner Erickson asked if one corner of the barn could be moved to 50 feet away from the  
76 property line. Mr. Walsh said he could move it so it would be 50 feet instead of 40.8 as depicted  
77 on the site plan. Commissioner Bunka had the same question; could the barn be moved further  
78 back? Mr. Walsh stated that the area where he wanted to place the barn was already cleared. He  
79 didn't want to clear any more trees. Commissioner Bunka said he had no recollection of a swale  
80 being discussed at the first meeting. He wanted to know where the swale would go.

81

82 Commissioner Scarberry said that they were there to talk about the barn, not the berm or swale.  
83 Any issue with drainage will be a civil issue between parties. He said building the barn won't  
84 make anything better or worse as far as the drainage issues are concerned. They are not there to  
85 approve a swale; they are there to approve a barn. Commissioner Bunka asked the applicant if he  
86 were to clear more trees, would he then be able to move the barn further from the lot line? Mr.  
87 Walsh said the property was too low and wet. Vice-Chairman Trollman said he'd like to see the  
88 one corner of the barn moved to 50 feet as well. Commissioner Chet Shultz said a neighbor being  
89 able to see your pole barn is a moot point. It's your property, you can have a barn on your  
90 property. He said he felt like a 100-foot setback was a bit excessive.

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**PUBLIC COMMENTS**

Neighbor Matt Remillard said the water flow is causing his backyard to be saturated. He said he didn't want to be a bad neighbor; he just wants things done right. He said if the pole barn is built it's permanent.

Commissioner Tim Scarberry reiterated that the issue being discussed with this board is not the berm. The only thing they are there to decide on is the barn.

Mr. Remillard said if the berm is moved then the barn will be the problem.

Mr. Walsh stated that Mr. Remillard's property has always been very wet.

**CONSIDERATION OF ACTION**


Commissioner Rich Erickson moved to approve the request for a front yard location variance and to approve an amended front yard setback variance of 50 feet to build a 40' x 80' pole barn located at 12277 Overlook Drive, Fenton, MI 48430. The owner will assume all responsibility for any drainage issues that may arise associated with the pole barn. Commissioner Chet Schultz seconded. The motion carried by unanimous vote.

**MISCELLANEOUS BUSINESS**

None

**ADJOURNMENT**

The meeting was adjourned at 7:51 by Vice-Chairman Joe Trollman.



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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 ZBA Commissioners