

**TYRONE TOWNSHIP ZONING BOARD OF APPEALS**  
**MEETING MINUTES**  
**January 11, 2021**

**CALL TO ORDER**

Chairman Greg Carnes called the Zoning Board of Appeals Meeting to order on January 11, 2021, at 7:02 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 NOVEMBER 9, 2020 MINUTES**

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

**READING OF PUBLIC NOTICE**

Karie Carter read aloud the public notice for tonight's meeting, which was published Sunday, December 20<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 Michael & Lynne Hagerman for a 4-inch east side yard setback variance and a 4-inch west side yard setback variance in order to allow for a 24-inch roof overhang on each side of their proposed dwelling located on Carmer Road in Fenton, Michigan, parcel ID: 4704-10-301-037. The property is zoned LK-1, Lake Front Residential. Reference Tyrone Township Zoning Ordinance No. 36, Article 20 – Schedule of Regulations, inclusive of building setbacks, height, and sightlines.

**COMMENTS BY APPLICANT**

The applicants explained that they wanted to build a new home on Runyan Lake and due to the roof overhang on both sides of the house, they are requesting a 4-inch side yard setback variance on both the east and west sides of the proposed dwelling. They had the lot properly surveyed. They had their plans done by an architect and he informed them that they may require a variance because things were slightly off.

**BOARD QUESTIONS AND COMMENTS**

Commissioner Rich Erickson wanted to know if something was stopping them from shrinking the overhang by 4" on either side. He was concerned about encroaching on the neighboring properties which may prevent emergency vehicles from getting through.

Lynne Hagerman said they didn't feel it was a safety issue and that they did speak in depth to the architect and they asked him if it would be possible to reduce the roofline and he told them that because of the way the water runoff would be, it would undermine their foundation.

Chairman Greg Carnes explained that from the northeast to the southwest the property appears to slope. Mike Hagerman said it's approximately a 20' elevation change. Carnes wanted to be sure the applicants understood that the reason for the 10' side yard setback is to allow for emergency vehicles to get through. The whole reason for the ordinance is to provide for 20' of clearance for emergency vehicles to get between those dwellings. He said he understands that with the topography and the way the driveway is and the landscaping, his guess is they're not going to bring emergency vehicles between these dwellings.

Commissioner Don Bunka asked if there was a problem with the higher pitch roof and the line of sight for the people behind them. To decrease the overhang, you'd have to go with the higher pitch.

Mike Hagerman said his architect said that the 24" overhang was necessary not only aesthetically, but to keep the rain runoff away from the foundation.

Commissioner Tim Scarberry asked if there was a space in the house where they could shrink the house by 8" and still get the 2' overhang. Mike Hagerman said all their plans have been completed and have been done for two years; to go back and make changes wouldn't be financially feasible.

Vice-Chairman Joe Trollman asked if there was a variance done for the neighboring house directly to the north. Carnes said he didn't recall a variance request for that house. He said it looked like part of the neighbor's driveway was on the Hagerman's property. He said he believed all the properties were 67' wide. Mike Hagerman said that was what he thought, but the driveway is encroaching into his lot. Carnes asked where his house fit in between the two existing houses. Mike Hagerman referred to the site plan; it's kind of angled looking to the south. If you drew a line between the two existing homes his will sit right in between. Carnes said that was good and it keeps the sightlines consistent.

Mike Hagerman explained that the 24" overhang was an important feature on the proposed dwelling and they cannot change it. He said it was the first thing he asked the architect and they were told they could not change it. He said this is why he is requesting the variance.

Carnes said he was having trouble with the hardship; maybe drainage. Scarberry said gutters could help with that. He said as a builder, he would ask their architect why he designed a house that was going to require a variance on this lot. He should have been well aware of this and he should have gone back and fixed this to make it conform. Lynne Hagerman said the other home wasn't there when the survey was done; maybe it was slightly off and that's why the driveway encroaches on their property. She feels like that's her hardship and they operating in good faith by asking for this variance.

Carnes asked if the adjacent properties were notified and if anyone voiced an objection. Karie Carter indicated that she received no objections.

### **CONSIDERATION OF ACTION**

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

### **UNFINISHED BUSINESS**

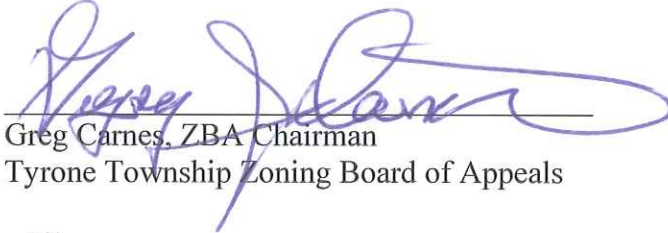
None

**MISCELLANEOUS BUSINESS**

**None**

**ADJOURNMENT**

Meeting was adjourned at 7:23 PM by Carnes.



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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

APPROVED