



**TYRONE TOWNSHIP ZONING BOARD OF APPEALS**  
**MEETING MINUTES**  
**March 11, 2019**

**CALL TO ORDER**

Vice Chairman Joe Trollman called the Zoning Board of Appeals Meeting to order on March 11, 2019 at 7:05 PM, at the Tyrone Township Hall.

**ROLL CALL**

*Present:* Vice Chairman Trollman, Commissioners Mark Meisel, Don LoVasco, and Jon Ward

*Absent:* Chairman Greg Carnes

*Guests:* Planning & Zoning Assistant Karie Carter

**APPROVAL OF THE NOVEMBER 12, 2018 MINUTES**

*Approved with one minor change. Motioned by LoVasco, supported by Meisel. Motion Carried.*

**NEW BUSINESS**

**APPEAL NO. 1: Ref. Tyrone Township Zoning Ordinance No. 36 – Section 21.02.B (Accessory Buildings and Structures Provisions – FR and RE Districts Accessory Buildings and Structures)** A request by Jeremy Huntoon for a front yard location variance in order to build a proposed new 40-foot by 60-foot accessory structure placed in the front of the property and proposed house. The property is zoned FR - Farming Residential.

**READING OF PUBLIC NOTICE**

Planning & Zoning Assistant Karie Carter read aloud the public notice for tonight's meeting, which was published Sunday, February 24<sup>th</sup>, 2019, in the Tri-County Times and posted at the Tyrone Township Hall in compliance with the Open Meeting Act.

**COMMENTS BY THE APPLICANT**

Mr. Huntoon briefly explained his request to have a 40-foot by 60-foot accessory building in the front yard of his property. He stated that the approved septic design, the topography, and the setback requirements made it impossible to place the accessory building in the rear yard. He also stated that it would not be visible from the road. The front of the property is facing the shared driveway, not Center Road. There were no objections from adjacent neighbors. Michael & Holly Adams who live to the west of Mr. Huntoon's property were present at the meeting and had no objections to his request.

## **BOARD QUESTIONS AND COMMENTS**

Board members discussed the request and the approval of the variance request. Meisel explained that there is 330+/- feet of established open space at the north end of the property resulting from a 2004 land division that has to be preserved in perpetuity. There are established mature trees in the rear yard which would be impacted if the land was graded for an accessory structure. There is an established location for the septic field at the north end, just south of the open space. The applicant is not asking for a location that is further forward than the neighboring homes, in general. The applicant will finish the proposed accessory structure to match the new home.

## **CONSIDERATION OF ACTION**

Motion by Meisel, seconded by LoVasco, to grant the request of Jeremy Huntoon for a front yard location variance in order to build a proposed 40-foot by 60-foot accessory structure placed in the front of the proposed house, located on the north side of Center Road, east of Mabley Hill in Fenton, Michigan 48430, Parcel ID: 4704-14-300-038, for the following findings of fact:

***Unreasonable Burden:*** The subject property has a depth of approximately 1320 feet. The northern 330+/- feet of the property is established open space resulting from a 2004 land division. Based on the property's topography, the Livingston County Health Department has established the septic field location at the north end of the property, immediately south of the open space. There are also established mature trees which would be impacted if the land was graded to accommodate the accessory structure in the rear yard. The applicant proposes to locate the structure 318 feet from the road right of way, much further set back than adjacent homes where the average setback is between 120 and 200 feet. Combined with a home like exterior appearance the accessory structure will not adversely impact views, site lines, or adjacent property values.

***Substantial Justice:*** The proposed accessory structure location will result in the preservation of mature trees. With a 318 setback from the road right of way, the home like exterior appearance of the accessory structure will not adversely impact views, site lines, or adjacent property values. There were no objections from adjacent neighbors.

***Minimum Variance Required:*** It is the opinion of the ZBA the variances being granted represent the minimum variance required to result in reasonable coexistence with the adjacent neighbors and to result in a compatible front yard setback for the rural development character of the area while preserving mature trees.

***Extraordinary Circumstances:*** The northern 330+/- feet of the property is established open space resulting from a 2004 land division. Based on the property's topography, the Livingston County Health Department has established the septic field location at the north end of the property, immediately south of the open space. There are also established mature trees which would be impacted if the land was graded to accommodate the accessory structure in the rear yard. The applicant proposes to locate

the structure 318 feet from the road right of way, much further set back than adjacent homes where the average setback is between 120 and 200 feet.

***Health and Safety:*** Granting this variance does not alter or negatively impact the satisfactory health and safety of the immediate area. Site distance is also not adversely affected.

The applicant was reminded it is necessary to comply with the Tyrone Township Zoning Ordinance regarding accessory structures on undeveloped lots.

Roll call vote: Ward, yes. LoVasco, yes. Meisel, yes. Trollman, yes. The motion carried.

### **ADJOURNMENT**

Meeting was adjourned at 8:58 PM by Trollman.



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

cc File

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