

**CHARTER TOWNSHIP OF FENTON ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF MAY 23, 2017**

FENTON TOWNSHIP CIVIC COMMUNITY CENTER
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN
MEETING HELD AT FENTON TOWNSHIP CIVIC COMMUNITY CENTER

Chairperson Cady called meeting to order at 7:00 pm.

Present: Baran, Cady, Lorraine, Matta, Reid, Spear
Recording Secretary, McDonald

Absent: Marko

PLEDGE OF ALLEGIANCE:

Chairperson Cady led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Motion to approve the agenda as written

Motion by: Cady

Seconded by: Baran

All in favor

APPROVAL OF MINUTES:

Motion to approve the meeting minutes of April 25, 2017

Motion by: Cady

Seconded by: Baran

All in favor

Chairperson Cady explained meeting procedure

NEW BUSINESS:

ZBA17-018 Imad Isaac, 12004 Brown St., Fenton:

06-28-200-052

15195 Pinewood Trl.

Requesting 71 ft. sight line variance for an accessory building at 15195 Pinewood Trl.

Secretary Reid reviewed the file. Imad Isaac, 12004 Brown St. was sworn in. Isaac explained his request for an accessory building on the lake side of his property. He noted that the properties are higher than the lake frontage and the shed will be placed so that it will not block views of the lake. Isaac said that he spoke with both neighbors and neither of them have an issue with what he proposes. Spear said his letter of intent mentions the shed will be dug 3 to 4 ft. into the hill going down to the lake, she asked how tall the building will be. Isaac said it is 14 ft. tall. Chairperson Cady called for public comments. There were none. Reid and Spear stated concerns about the loss of lake views when a person is standing at the lake level.

Motion to approve 71 ft. sight line variance for an accessory building at 15195 Pinewood Trl.

Motion by: Cady

Seconded by: Baran

Ayes: Cady, Baran, Lorraine, Matta

Nays: Reid, Spear

Absent: Marko

Motion carried

ZBA17-019 Armando & Sherry Diccion, 1219 Leroy, Fenton:

06-14-551-035

13377 Lakeshore

Requesting 18 ft. 6 in. sight line variance for a deck at 13377 Lakeshore

Secretary Reid reviewed the file stating there are two letters for public comment. Armando Diccion was sworn in. Diccion explained that they had made revisions to the plans over a period of 18 months working with an architect. They applied for and were granted this variance in December of 2016 and were granted a building permit in February of this year. It went

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unnoticed that the small deck on the south side of the building was not shown or presented at the December 2016 ZBA meeting. Diccion said they thought this deck would be okay because they are within the 18 ft. 6 in. variance that was granted. He said the Zoning Administrator explained that because this deck is an addition to the mass that was approved to be in the sight line it would require approval by the ZBA. Diccion submitted pictures to demonstrate that the height of the deck will allow the neighbor to view the lake under the elevated deck. Baran asked if the drawing submitted to the ZBA in December 2016 showed the proposed deck. Diccion said it did not. Baran asked if the deck has a wall on the south side. Diccion said there is a partial wall for privacy. Lorraine noted that there will be some loss of lake view for the neighbor as they look across the Diccion property. Matta noted the house that was demolished was much closer to the lake than the house they are building which does improve neighbor's view of the lake. Chairperson Cady called for public comments. Steve Steffey, 13453 Lakeshore, wanted to go on record to state the neighbors to the south have harassed his client and his workers, as well as taking up Township time and resources with their numerous complaints. He noted he has 5 documented complaints. He also asked if the Township clerk is authorized to enter onto a person's private property. He stated the Clerk came to the building site to issue a red tag, he was shaking and yelling at the workers and sent them home which cost time and money. Reid read letters from Bob & Dianne Harris, 13385 Lakeshore; the letters were opposed to the request because the deck will further block their view of the lake. Both asked that the request be denied. Matta noted the Harris's view has been improved by moving the house back away from the lake. Cady stated concerns about the partial wall but said he can understand the need for privacy. Baran expressed frustration that the ZBA has to hear this case again and noted that this may have exacerbated the problem with the neighbors. Spear concurred stating the two different drawings could be construed to be misleading.

Motion to approve 18 ft. 6 in. sight line variance for a deck at 13377 Lakeshore

Motion by: Cady
Seconded by: Baran
Ayes: Cady, Baran, Lorraine, Matta, Reid, Spear
Nays: None
Absent: Marko

Motion carried

ZBA17-020 Ryan Maddock, 11200 Vantage Pointe, Linden:

06-04-200-013

11200 Vantage Pt.

Requesting an 11 ft. side yard setback variance to build an addition

Secretary Reid reviewed the file. Greg Mason, architect, GNM, 5345 Genesee, Grand Blanc, was sworn in. He explained the proposed addition is for an indoor pool. He noted that the setbacks in this zoning district are 25 ft. and they are asking for an 11 ft. variance which still leaves 14.9' to the property line. He noted all of the design elements that were incorporated to make this fit on the property with as little variance as possible. Chairperson Cady called for public comments. Steve Steffey, 13453 Lakeshore, explained that he developed this property and built this house, he noted that because of the engineered septic system that runs along the opposite side of this house this is the only area where the addition could be located. Christy Mahler, 4234 Vantage Pt. stated she supported the request. Matta stated this is a unique lot in its shape and size which presents a practical difficulty. Cady stated the proposed setback is greater than the minimum in most areas of the Township and he felt the location of the septic field poses the practical difficulty.

Motion to approve an 11 ft. side yard setback variance to build an addition

Motion by: Cady
Seconded by: Lorraine

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Ayes: Cady, Baran, Lorraine, Matta, Reid, Spear
Nays: None
Absent: Marko

Motion carried

COMMUNICATION: None

PUBLIC COMMENT – NON AGENDA ITEMS: None

ADJOURN: 8:10 p.m.

Chairperson Cady
Minutes Posted 05/31/17

Secretary Reid