

**CHARTER TOWNSHIP OF FENTON ZONING BOARD OF APPEALS  
MINUTES FOR REGULAR MEETING OF JULY 25, 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 7:04 pm.

Present: Cady, Lorraine, Marko, Reid, Spear  
Recording Secretary, McDonald

Absent: Baran, Matta

**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: Marko  
All in favor

**APPROVAL OF MINUTES:**

Motion to approve the meeting minutes of June 27, 2017

Motion by: Cady  
Seconded by: Lorraine  
All in favor

Chairperson Cady explained meeting procedure

**NEW BUSINESS:**

**ZBA17-028 Bryon & Michele Mathews, 3346 Ponemah, Fenton:**

06-27-501-003

3346 Ponemah

Requesting a 10 ft. sight line variance to replace existing deck with a covered porch  
Secretary Reid reviewed the file noting there was a letter from a neighbor. Bryon Mathews was sworn in. He explained that this would be an improvement to the look of his home as well as the neighborhood. It will not negatively affect anyone's views of the lake. He said the covered porch will be in the same footprint as the current deck but the surface will be lower. The proposed peaked roof will add interest to the façade of the house and provide much needed shade. Greg Childers, Motor City Builders submitted additional pictures of the proposed covered porch. Chairperson Cady called for public comment. Brian Kelly, 3350 Ponemah stated he lives next door and he supports this request. He added the proposed covered porch would not negatively affect his view of the lake. Cady and Marko stated they did not see how this would affect views of the neighbor's.

Motion to approve a 10 ft. sight line variance to replace existing deck with a covered porch

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

Motion carried

**ZBA17-029 Mike & Brenda Miceli, 11428 Fawn Valley Tr. Fenton:**

**CHARTER TOWNSHIP OF FENTON ZONING BOARD OF APPEALS  
MINUTES FOR REGULAR MEETING OF JULY 25, 2017**

06-13-554-011

13380 Wenwood

Requesting 10 ft. front yard setback and 804 ft. maximum sq. footage variances to demolish and rebuild house and an attached garage while keeping the detached garage across the street

Secretary Reid reviewed the file. Chris Macklin, Christopher Macklin Design, 14165 N. Fenton Rd., Fenton was sworn in. He explained that the Micelis purchased this house as a cottage in 2011. They have decided to make this their primary residence. Macklin said the soil conditions in this area are poor and a full basement is not an option. The request is to build a 3 car attached garage and use the garage across the street for storage for as long as they can due to its deteriorating condition. The front yard setback variance is necessary because the lot is narrow and they do not want to push the house forward causing issues with the neighbors' views of the lake. They also would like to have some open area in the rear yard. He said that when the detached garage is no longer useable, it will be demolished. Marko stated concerns that when the garage across the street falls down the applicant will be ask for a permit to rebuild it and the amount of accessory building will be excessive. He said the building is very bad shape and if allowed to remain it may become a problem for the Township. He put the applicant on notice that he does not support the request of additional accessory building tonight nor will he in the future. Chairperson Cady called for public comments. There were none. Spear and Reid concurred with Marko. Cady agreed stating there is some control now to make sure a deteriorating building comes down before it becomes a problem. He said the request for sq. footage variance is excessive. Reid agreed. Macklin asked the Board about the setback variance. They said they did not have a problem with the setback. Cady added the practical difficulty is the narrowness of the lot. Mike Miceili said they have no intent to rebuild the garage but they do not want to tear it down at this time because of the cost. Cady stated they would vote on each of the variances separately.

Motion to approve a 10 ft. front yard setback variance

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

Motion carried

Motion to approve an 804 ft. maximum sq. footage variance to demolish and rebuild house and an attached garage while keeping the detached garage across the street

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

Motion failed

Motion to deny an 804 ft. maximum sq. footage variance to demolish and rebuild house and an attached garage while keeping the detached garage across the street

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

**CHARTER TOWNSHIP OF FENTON ZONING BOARD OF APPEALS  
MINUTES FOR REGULAR MEETING OF JULY 25, 2017**

Absent: Baran, Matta

Motion carried

**ZBA17-030 Herbert Hein, 4225 Miller Rd. #190, Flint:**

06-33-526-002

16080 Silvercrest

Requesting a 20 ft. sight line variance for an upper level deck

Secretary Reid reviewed the file. Herbert Hein was sworn in. He explained his request to build an upper level deck on a portion of his house that is already in the sight line. He noted the deck will not be any closer to the lake than the existing house and will not negatively affect anyone's view of the lake. He said he felt this property is on a point and should have been eligible for a sight line waiver. Chairperson Cady called for public comment. John Jones, 16088 Silvercrest, and Brad Keller, 16096 Silvercrest, both said they do not have a problem with the proposed deck. They did have concerns about the condition of the property and the time it is taking to complete the project. Jones asked the size of the deck Hein said it is 8 X 18 ft. Jones asked how long a person had to complete a project. He was told they have a year to start after a permit is issued and a year to complete, however extensions may be granted. They also mentioned a shed and fence in the sight line. Marko explained the complaints are not matters for the ZBA and they were directed to contact the Township Office with those concerns. Cady said he did not see how the proposed deck would impact views. He said there is a practical difficulty with the way the property lies in relation to the structure on either side.

Motion to approve a 20 ft. sight line variance for an upper level deck

Motion by: Cady

Seconded by: Spear

Ayes: Cady, Lorraine, Marko, Reid, Spear

Nays: None

Absent: Baran, Matta

Motion carried

**ZBA17-031 Scott Clement, 13326 Wenwood, Fenton:**

06-33-504-019

13326 Wenwood

Requesting 30 ft. front yard and 5 ft. side yard setback variances to build an attached garage

Secretary Reid reviewed the file noting the file contained a letter for public comment. Scott Clement was sworn in. He explained his request to build a 2-car attached garage. He said the area in front of his house is platted road right of way, however the road is actually approximately 25 ft. from his property line. He added at some point a previous owner had converted part of the existing garage into living area and currently it is a one car garage at most. He noted that once he gets his lawn mower and outdoor equipment in there is barely enough room for a single small car. He said that the proposed garage will allow for 2 cars to be parked inside and still leave enough room for a car to park in front of the garage door. He submitted elevations of the proposed addition and letters from 4 neighbors. Spear asked if they intend to use the one garage space as well as the new 2-car space, if approved. Clement said the one car space will be his workshop. Chairperson Cady called for public comments. Secretary Reid read the letter from an anonymous neighbor stating concerns about safety because this is located on a curve at the crest of a hill, the number of vehicles frequently parked at the property and encroachment into the public right of way. Reid also read letters supporting the request from Robert Golota, 13326 Wenwood, Judith Wisniewski, 13324 Wenwood, Elizabeth Holloway, 13318 Wenwood, and Kristie Primeau, 13336 Wenwood. Marko stated that

**CHARTER TOWNSHIP OF FENTON ZONING BOARD OF APPEALS  
MINUTES FOR REGULAR MEETING OF JULY 25, 2017**

based on the platted street and the location of the actual street this is a legitimate request. Lorraine said he spent some time walking the property and the street and did not see a safety issue. Cady said there is practical difficulty with the shape of the lot.

Motion to approve a 30 ft. front yard and 5 ft. side yard setback variances to build an attached garage

Motion by: Cady

Seconded by: Lorraine

Ayes: Cady, Lorraine, Marko, Reid, Spear

Nays: None

Absent: Baran, Matta

Motion carried

**COMMUNICATION:**

**PUBLIC COMMENT – NON-AGENDA ITEMS:** None

**ADJOURN:** 7:55 p.m.

---

Chairperson Cady

Minutes Posted 07/27/17

---

Secretary Reid