

**CHARTER TOWNSHIP OF FENTON ZONING BOARD OF APPEALS  
MINUTES FOR REGULAR MEETING OF MARCH 27, 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 7:01 pm.

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

Absent: None

**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

**MEETING MINUTES:** February 27, 2018

Motion to approve the minutes as corrected

Motion by: Cady  
Seconded by: Lorraine  
All in favor  
Motion carried.

**NEW BUSSINESS:**

**ZBA18-005 Les Hadden, 12375 Margaret, Fenton:**

06-11-501-010

12375 Margaret

Requesting 2% lot coverage, 5 ft. front yard and .5 ft. side yard set-back variances to demolish the existing detached garage and build a new attached garage with utility room

Secretary Reid reviewed the file noting there were two letters submitted for public comment. Les Haddon was sworn in. He explained his hardship is that the current garage sits in a valley and as larger homes have been built on either side of his property water naturally flows on to his property and runs through the current garage. He stated he had a drain installed to help carry the storm water away from the garage and to the lake which helped some but anytime there is a substantial rainfall the garage floods causing it to be unusable for storage. He said he has his items stored in various places including a neighbor's garage and rental space in a storage facility. He noted the plan, if approved, is to raise the garage and driveway approximately one foot to detour the water away from the garage and into the recently installed drain. He noted the current garage is detached, an attached garage will give him an area for a utility room increasing the relatively small floor area of the existing house. He added recent health issues prevent him from doing snow removal and an attached garage will eliminate the need to shovel the area between the house and garage. Baran asked how deep the garage would be without the utility room. Reid calculated that the garage is 29 ft. deep not including the area for the proposed utility room. Baran stated concerns about the lot coverage variance. He asked if the garage could be made smaller to eliminate the need for a lot coverage variance. Hadden stated the configuration is proposed to keep the garage wall on the north side in line with the existing house and the south side in line with the existing detached garage. He added the front wall is also in line with the existing garage and the neighbors garages. He said it could be made smaller but he wanted the addition to be aesthetically correct. Chairperson Cady called for public comments. Secretary Reid read letters from John Ploucha, 12383 Margaret and Lynda O'Brien, 12373 Margaret both supporting this request. Cady stated the hardship in this case is the location of home in a valley that collects storm water from the newly built larger homes on either side and the placement of the new garage as proposed will be more aesthetically correct as it is proposed to

**CHARTER TOWNSHIP OF FENTON ZONING BOARD OF APPEALS  
MINUTES FOR REGULAR MEETING OF MARCH 27, 2017**

stay in line with the existing house and the neighbor's garages. Lorraine concurred. Cady added there is also a practical difficulty with the storm drainage, location of the existing house and the lot size.

Motion to approve 2% lot coverage, 5 ft. front yard and .5 ft. side yard set-back variances to demolish the existing detached garage and build a new attached garage with utility room

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

Motion carried

**ZBA18-006 Ryan Payment – Outdoor Living LLC, 8282 Foster Rd., Clarkston, Flint:**

06-11-530-005

12230 Mantawauka

Requesting a 50 ft. sight line variance to replace the existing walls and decks with new hardscape and build a pergola

Secretary Reid reviewed the file noting there was one letter submitted for public comment. Ryan Payment was sworn in. He explained he has been working with owners of the property to develop a plan to fix the deteriorating retaining walls and the seawall. Currently the walls are cement covered with wood and they are failing. The seawall is crumbling and falling apart. The owners want to redevelop the existing area with hard scape as shown on the plans and renderings. The only addition to the current series of retaining walls is the railing and a pergola located on middle terrace to provide some shade down by the water on the north side of the property. Chairperson Cady called for public comments. Secretary Reid read a letter from Linda Williams Murphy, 12234 Mantawauka, stating that as long as the pergola is limited to 8 ft. in height and maintains the same course as the current middle level she has no objection to the pergola. She also stated the railing shown is proposed to be a clear glass like material and as long as that is the case she does not object to the railing either. Her only other concern is that the retaining walls remain in the existing location and are at a height consistent with the current retaining wall height. Cady stated the plan is to reconstruct what is already there with the exception of the pergola, which is located below at the grade of the homes on either side. The Commission also noted that the property to the north has a pergola near the house and a gazebo located in approximately the same location as the proposed. Cady noted that the railings will have to be built as depicted in the drawings as a clear glass like material submitted for this hearing.

Motion to approve 50 ft. sight line variance to replace the existing walls and decks with new hardscape and build a pergola

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

Motion carried

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

**ADJOURN:** 7:25 p.m.

---

Chairperson Cady

**Minutes Posted 04/02/18**

---

Secretary Reid