

**CHARTER TOWNSHIP OF FENTON ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF SEPTEMBER 24, 2019**

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, Farney, Matta, Lorraine, Marko, Spear
Zoning Administrator Deem

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: Baran
All in favor

MEETING MINUTES: August 27, 2019

Motion to approve the minutes as presented

Motion by: Cady
Seconded by: Baran
All in favor
Motion carried

UNFINISHED BUSINESS:

ZBA19-025 Steve Morin, 2437 Davis Rd.

Requesting an 1,880.76 sq. ft. maximum allowable sq. footage variance to expand a detached accessory building at 2437 Davis Rd, parcel 06-02-300-015.

Secretary Spear confirmed the file was complete. Summer Awad was sworn in and she summarized her request for additional storage. The request has been reduced by approximately 1,000 square feet and the building has been moved back five feet since the last meeting.

Commissioner Baran asked if the footprint of the building would be similar to the original request. Ms. Awad responded that the footprint would be similar but squatter.

Chairperson Cady opened the public hearing. Secretary Spear noted that no new comments had been received but the Township did receive 19 letters in support for the variance from the residents along Davis Road and North Long Lake Road. A map has been provided showing the location of these homes in relation to 2437 Davis Road.

Chairperson Cady expressed his concern with the size of the proposed building, finding that the size was excessive for the amount of acreage. Commissioner Marko agreed and added his concern about the proposed water and bathroom. The commissioners expressed concerns with the building being turned into a residence without meeting the necessary building codes.

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Motion to approve a 1,964 sq. ft. maximum allowable sq. footage variance to expand a detached accessory building.

Motion by: Cady
Seconded by: Baran
Ayes: none
Nays: Farney, Matta, Baran, Cady, Lorraine, Marko, Spear
Absent:

Motion failed.

Motion to deny a 1,964 sq. ft. maximum allowable sq. footage variance to expand a detached accessory building.

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

Motion passed.

NEW BUSINESS:

ZBA19-026 Nykole Pfaff, 12277 Margaret Drive

Requesting a 5-foot and 5-foot side yard setback variance to for an addition to an existing home and a 6-foot side yard setback variance for the expansion of an existing deck at 12277 Margaret Drive, parcel 06-11-502-021.

Secretary Spear confirmed the variance file was complete. Jim Vargo, Hillstreet Design, was sworn in and state that his client wants to improve and modernize the appearance of the home. The variance is needed due to the pie shape of the lot.

Chairperson Cady opened the public hearing. Secretary Spear read a letter form Susan Wortman, 12271 Margaret Drive. She did not object to the request, but questioned in the stakes where in the correct location.

Commissioner Matta noted that the request was minor in nature and the minimum necessary.

Chairperson Cady noted the practical difficulty of the shape of the lot and that the variance was for a limited area and not for the full extent of the property.

Motion to approve a 5-foot and 5-foot side yard setback variance to for an addition to an existing home and a 6-foot side yard setback variance for the expansion of an existing deck at 12277 Margaret Drive

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

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Motion passed.

ZBA19-027 Danielle Dikos, 13342 Enid Blvd

Requesting a 39-foot sight line variance to build a pergola over an existing boat house located at 13342 Enid Blvd., parcel 06-14-577-023.

Secretary Spear reviewed the file and noted it was complete. Kurt Shapell, 13342 Enid Blvd, was sworn in and explained that he would like to build a pergola for shade and to create a sitting area by the lake.

Commissioner Matta asked the applicant why he began construction without a permit. Mr. Shapell stated that he didn't know that a permit was needed. Secretary Spear asked what else would be added to the existing structure built without a permit. Mr. Shapell stated that they would add rafters and that there wouldn't be a closed roof or walls.

Trustee Lorraine noted that he was concerned about the sight line and that even a pergola can block the sight of the lake to adjacent properties. He stated that there are ordinances in effect to prevent blockage of sight lines.

Chairperson Cady opened the public hearing. Don Bugala, 13338 Enid Blvd, spoke in opposition of the variance request. As the neighbor, the pergola blocks with views of the lake.

Secretary Spear noted that the Township received two letters in opposition of the variance request from Doug and Barb Stranahan, 13374 Enid Blvd and from Tom and Lorie Schehr, 13350 Enid Blvd.

Motion to approve a 39-foot sight line variance to build a pergola over an existing boat house located at 13342 Enid Blvd.

Motion by: Cady
Seconded by: Lorraine
Ayes: none
Nays: Farney, Matta, Baran, Cady, Lorraine, Marko, Spear
Absent:

Motion failed.

Motion to deny a 39-foot sight line variance to build a pergola over an existing boat house located at 13342 Enid Blvd

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

Motion passed.

ZBA19-029 Bill Richardson, 12182 Margaret Drive

Requesting a 1-foot rear yard setback variance for the construction of a new accessory building at 12182 Margaret Drive, parcel 06-11-501-087.

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Secretary Spear confirmed the file was complete. Bill Richardson, 12182 Margaret Drive, was sworn in and explained his request. There is an existing easement between two lots that he owns. The variance would leave the accessory building a foot off the easement, otherwise all other setbacks would be met.

Chairperson Cady opened the public hearing. There were no comments.

Motion to approve a 1-foot rear yard setback variance for the construction of a new accessory building at 12182 Margaret Drive

Motion by: Cady

Seconded by: Lorraine

Ayes: Farney, Matta, Baran, Cady, Lorraine, Marko, Spear

Nays:

Absent:

Motion passed.

HO19-002 Jeffery Coon, 11174 Sharp Road

Requesting a Home Occupation Permit to conduct internet sales, private sales, and transfer of firearms at 11174 Sharp Road.

Secretary Spear noted the file was complete. Jeff Coon, 11174 Sharp Road, was sworn in and explained his request for a Home Occupation Permit to conduct internet sales, private sales, and transfer of firearms at his home. He has been living there for four years. Approximately 180 square feet of the home will be used for the home occupation. Any sales on site will be by appointment only.

Chairperson Cady opened the Public Hearing. Dan Brewer, 11278 Sharp Road, spoke in favor of the request.

Motion to approve a Home Occupation Permit to conduct internet sales, private sales, and transfer of firearms at 11174 Sharp Road.

Motion by: Cady

Seconded by: Baran

Ayes: Farney, Matta, Baran, Cady, Lorraine, Marko, Spear


Nays:

Absent:

Motion passed.

PUBLIC COMMENT: 5-minute limit – There were none.

ADJOURN: 8:04 p.m.


Chairperson Cady


Secretary Spear