

**CHARTER TOWNSHIP OF FENTON ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF OCTOBER 22, 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 7:05 pm.

Present: Baran, Cady, Farney, Spear
Zoning Administrator Deem

Absent: Matta, Lorraine, 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

MEETING MINUTES: September 24, 2019

Motion to approve the minutes as presented

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

UNFINISHED BUSINESS:

None

NEW BUSINESS:

ZBA19-028 Gary Metzger, 2511 W. Thompson Road

Requesting a 2.5-foot side yard setback variance to construct an attached garage at 2511 W. Thompson Road, parcel 06-02-300-062

Mr. Metzger was sworn in and explained that the requested variance was the minimum necessary to construct an attached single car garage.

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

Secretary Spear noted the odd parcel shape and location of the house as justification for the variance.

Chairperson Cady stated that there was plenty of space between the proposed additional and the adjacent property.

Motion to approve a 2.5-foot side yard setback variance to construct an attached garage at 2511 W. Thompson Road.

Motion by: Cady
Seconded by: Baran

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

Motion passed.

ZBA19-030 Terry Hanson, 2401 Davis Road

Requesting an 1,147.85 sq. ft. maximum allowable sq. footage variance to expand a detached accessory building at 2401 Davis Rd, parcel 06-02-551-006.

Mr. Hanson was sworn in and stated that the requested variance would allow him to store their summer pontoon board, and summer equipment so that they didn't need to be stored outside under tarps. The accessory building would not have a bathroom.

Chairperson Cady opened the public hearing. Brook Tucker, 2393 Davis Street spoke in support of the variance request. No other comments were made.

Commissioner Baran does not feel that the request is excessive due to the location and size of the lot.

Chairperson Cady noted that the size of the accessory building is a concern as it takes away from the residential character of the parcel.

Secretary Spear agreed with Chairperson Cady that the requested size is too big and takes away from the residential character of the area.

Motion to approve an 1,147.85 sq. ft. maximum allowable sq. footage variance to expand a detached accessory building at 2401 Davis Rd.

Motion by: Cady
Seconded by: Baran
Ayes: Baran
Nays: Farney, Cady, Spear
Absent: Matta, Lorraine, Marko

Motion failed.

Motion to deny an 1,147.85 sq. ft. maximum allowable sq. footage variance to expand a detached accessory building at 2401 Davis Rd.

Motion by: Cady
Seconded by: Baran
Ayes: Farney, Cady, Spear
Nays: Baran
Absent: Matta, Lorraine, Marko

Motion failed.

Chairperson Cady stated that since a motion has not been passed, the case will be postponed to the next meeting.

Mr. Hanson asked that the case be postponed until the March 2020 meeting, as he will be out of town for the winter. The ZBA agreed to postpone the case until the spring.

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ZBA19-031 William Bye, 8300 Dwyer Rd, Howell, MI**

Requesting a 10 ft. front yard setback variance for the construction of a new house on vacant land on **Dalhart Drive**, parcel 06-11-529-018.

William Bye was sworn in and explained the request for the ten-foot setback variance is due to the topography and the development standard of the nearby homes being built closer to the road.

Chairperson Cady opened the public hearing. Kelly Williams, 12169 Dalhart Drive, expressed concerns about storm water runoff. The ZBA explained the building permit process. A grading plan is required that will be reviewed by the Township Engineer to ensure that storm water is being properly managed.

Chairperson Cady noted that the practical difficulties for the variance are the topography of the site and the development pattern of the nearby homes.

Motion to approve a 10 ft. front yard setback variance for the construction of a new house on vacant land on Dalhart Drive, parcel 06-11-529-018.

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

Motion passed.

ZBA19-032 Richard Brandt, 13354 Julie Anne Court, James Nolan 13358 Julie Anne Court

Requesting a 4.67-foot variance to construct an 8-foot-tall vinyl sound barrier fence along Torrey Road at 13354 and 13358 Julie Anne Court, parcels 06-14-653-028 and 6-14-653-029.

Richard Brandy was sworn in and explained that the requested variance is necessary to reduce noise from Torrey Road. The proposed fence would be located behind existing trees and would not be visible to Torrey Road.

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

Secretary Spear agreed that the fence would not be visible from Torrey Road due to the existing vegetation.

Chairperson Cady stated that he believed that the variance would be for two feet as opposed to 4.67 feet as the fence would be located in their rear yard. Zoning Administrator Deem explained that although the location functioned as the property's rear yard, as defined by the Zoning Ordinance, the lot was a through lot with frontage on both Torrey Road and Julie Ann Court.

Commissioner Baran stated that there would be no impact on Torrey Road.

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Motion to approve a 4.67-foot variance to construct an 8-foot-tall vinyl sound barrier fence along Torrey Road at 13354 and 13358 Julie Anne Court.

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

Motion passed.

ZBA19-033 George Johnson, 13100 Hollynton Court

Requesting a 2.67-foot variance to construct a 6-foot-tall wood fence along Fenton Road and McCully Lane at 13100 Hollynton Court, parcel 06-13-505-031.

George Johnson was sworn in and explained that his lot had road frontage on three sides. The proposed fence would provide privacy for his family.

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

Secretary Spear noted that the location of the fence would provide adequate sight lines and would not create an issue for traffic coming from either direction.

Motion to approve a 2.67-foot variance to construct a 6-foot-tall wood fence along Fenton Road and McCully Lane at 13100 Hollynton Court.

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

Motion passed.

RENEWAL OF HOME OCCUPATIONS

HO02-001 Mark Wendling 12075 Torrey Rd:

Requesting to renew a home occupation permit to operate gun sale business in residence; parcel 06-11-503-021

Motion to approve the renewal of the home occupation.

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

Motion passed.

HO02-004 Craig Allen 11533 Torrey Rd:

Requesting to renew a home occupation permit to operate an auto wholesale business in residence; parcel 06-02-300-042

Motion to approve the renewal of the home occupation.

Motion by: Cady

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

Motion passed.

HO02-005 Gilford Goodrow, 11250 Odell Rd:

Requesting to renew a home occupation permit to operate a photography studio in residence; parcel 06-05-200-008

Motion to approve the renewal of the home occupation.

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

Motion passed.

HO02-012 Tonya Gerow-Boucki 2352 Belle Glade Ct:

Requesting to renew a home occupation permit to operate dog grooming business in garage; parcel 06-02-553-006

Motion to approve the renewal of the home occupation.

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

Motion passed.

HO08-042 William Molpus 2355 Thompson Rd:

Requesting to renew a home occupation permit to operate a small deck installation business from residence; parcel 06-02-552-006

Motion to approve the renewal of the home occupation.

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

Motion passed.

HO13-051 Melvin Spencer, 14283 Hogan Rd:

Requesting to renew a home occupation permit to continue to operate a gun sale business in residence; parcel 06-19-300-001

Motion to approve the renewal of the home occupation.

Motion by: Cady
Seconded by: Baran
Ayes: Farney, Baran, Cady, Spear
Nays: None

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Absent: Matta, Lorraine, Marko

Motion passed.

HO13-052 Marc Skutt, 13109 Ripley Rd:

Requesting to renew a home occupation permit to continue to operate a taxidermy business in residence; parcel 06-16-601-008

Motion to approve the renewal of the home occupation.

Motion by: Cady

Seconded by: Baran

Ayes: Farney, Baran, Cady, Spear

Nays: None

Absent: Matta, Lorraine, Marko

Motion passed.

HO13-053 Sharon Schneider, 15074 Meadow Ln:

Requesting to renew a home occupation permit to operate a salon at in her home; parcel 06-30-601-012

Motion to approve the renewal of the home occupation.

Motion by: Cady

Seconded by: Baran

Ayes: Farney, Baran, Cady, Spear

Nays: None

Absent: Matta, Lorraine, Marko

Motion passed.

HO14-009 Timothy Paige, 5450 Blossom Ln:

Requesting to renew a home occupation permit to continue to operate a gun sale business in residence; parcel 06-32-601-101.

Motion to approve the renewal of the home occupation.

Motion by: Cady

Seconded by: Baran

Ayes: Farney, Baran, Cady, Spear

Nays: None

Absent: Matta, Lorraine, Marko

Motion passed.

HO15-014 Diana Gibbons, 13507 Haddon St:

Requesting to renew a home occupation permit to continue to operate a personal training business in residence; parcel 06-14-577-109

Motion to approve the renewal of the home occupation.

Motion by: Cady

Seconded by: Baran

Ayes: Farney, Baran, Cady, Spear

Nays: None

Absent: Matta, Lorraine, Marko

Motion passed.

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HO16-047 Daniel Maldonado, 4237 Crystal Cove Ct, Linden:

Requesting to renew a home occupation permit to operate gun sales business in residence, parcel 06-21-626-034

Motion to approve the renewal of the home occupation.

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

Motion passed.

HO16-005 Alexander Adams, 13260 Marvin Dr. Fenton:

Requesting to renew a home occupation permit for a heating and cooling business, parcel 06-15-100-018

Motion to approve the renewal of the home occupation.

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

Motion passed.

PUBLIC COMMENT: An unnamed attendee questioned the process for approving home occupations relating to firearms.

Chairperson Cady explained that the requests being reviewed tonight are renewals of existing home occupation permits, and the ZBA is confirming that they are in compliance with their original approval. When an application is originally reviewed, The ZBA reviews the request for compliance with the Zoning Ordinance. For firearm uses, the Township also works with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), to ensure all Federal Laws are complied with.

Meeting was adjourned at 7:46 pm.

Chairperson Cady

Secretary Spear