

**CHARTER TOWNSHIP OF FENTON ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF JANURARY 28, 2020**

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: Cady, Baran, Lorraine, Marko, Matta, 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: Matta
All in favor

MEETING MINUTES: November 26, 2019

Motion to approve the minutes as presented

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

NEW BUSINESS:

ZBA20-001 Brian Bunton, 13407 Lakeshore Drive: Requesting a 20-foot front yard setback variance and 15 ft. wetland setback variance to construct a new home at 13403 Lakeshore Drive, parcel 06-14-300-045.

Secretary Spear reviewed the file and found it complete. The applicant's representative, Dennis Dinser, explained the request. The site plan has been revised to increase the setback from the wetland and reduce the variance requested by five feet. The setback from Golden Pond was designed at 10 feet, consistent with the side yard setback requirement. The lot is a through lot and the Golden Pond frontage does not function as a front yard. The location of the house is limited by the wetlands on either side of the property. The house has been designed with underground parking and storage. The majority of the house meets the 30 foot front yard setback from Golden Pond, with just a portion of the house needing the variance.

Secretary Spear asked about the square footage of the house. Mr. Dinser responded that the house is 3,520 square feet.

Chairperson Cady opened the public hearing.

Bob Zito, 2350 Golden Pond Court questioned the drainage for the site. Chairperson Cady explained that the drainage and grading plan would be reviewed by the Township Engineer as part of the building permit review process.

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Kathy Smith 2300 Golden Pond, expressed concerns regarding the drainage of the site and soil erosion. Mr. Dinser responded that there will be a retaining wall to prevent erosion.

Becca Stoddard 2292 Golden Pond Court noted that she was concerned about the ledge and drop off to the site. Mr. Bunton responded that they will install a security fence during construction.

Frank Blanchard, 2304 Golden Pond Court expressed his concern about the existing drop off from Golden Pond. In addition, Mr. Blanchard expressed his concerns that his view of the lake would be blocked by the house. Chairperson Cady explained that the sight line provision, non-riparian lots do not have a right to views of the lakes.

Polly Baker-Zito, 2350 Golden Pond Court, questioned whether trees could be planted along Golden Pond Court to improve the view. Mr. Dinser responded that they did not currently have a landscape plan.

Kathy Smith. 2300 Golden Pond Court questioned on if their view would be a driveway? Chairperson Cady stated that the view would be of the house and driveway.

Brian Wiskur, 13435 Lakeshore Drive. He spoke in favor of the variance request.

Frank Blanchard, 2304 Golden Pond Court, further expressed his concern about the change to his view.

Peg DuBuc, 2358 Golden Pond Court, expressed her concern about erosion along the road.

Secretary Spear read letters in opposition of the variance from:

- Beverly McKenna, 2308 Golden Pond Court
- Deborah Queen, 2338 Golden Pond Court
- Peg DuBuc, 2358 Golden Pond Court
- Josh Lupu, 2330 Golden Pond Court
- Stacy Boucher-Tabor, 13396 Lake Shore Drive
- Barbara Norris, 2335 Golden Pond Court
- Robert Douglas, 2351 Golden Pond Court
- Pauline Watt, 2345 Golden Pond Court
- Kimberly and Patrick Loomis, 2288 Golden Pond, Unit 5.

Chairperson Cady closed the public hearing.

Chairperson Cady explained the building permit review process and noted that issues relating to grading, storm water, and erosion are reviewed by the Township Engineer during this process.

Commissioner Baran noted that the wetlands were a limiting factor for the development of a house on this property. His greater concern is with the setback from Golden Pond.

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Chairperson Cady agreed with Commissioner Baran's concerns with setback from Golden Pond. If the variance were to be reviewed, there would have to be some sort of natural barrier along Golden Pond.

Trustee Lorraine noted concerns he had with the applicant being in compliance with their DEQ permit.

Motion approve a 20-foot front yard setback variance and 10 ft. wetland setback variance to construct a new home at 13403 Lakeshore Drive, parcel 06-14-300-045 with the condition that an evergreen barrier be planted along Golden Pond Court.

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

Motion carried

ZBA20-002 Mike Lester, 12294 Windsor Beach: Requesting a 3 ft. variance to expand an existing deck into the sight line setback at 12294 Windsor Beach, parcel 06-11-531-008.

Secretary Spear reviewed the file. The applicant was not present at the meeting.

Chairperson Cady opened the Public Hearing.

Kim Perry-English, 12298 Windsor Beach, pictures were presented showing the original deck that had been removed and the new posts for the enlarged deck. It was explained that the new deck would have a negative impact of their sight line.

Bob Ranta, 12284 Windsor Beach, he expressed his concern about the lack of detention the plans provided and future development on the site.

Chairperson Cady closed the public hearing.

The ZBA discussed the request and noted the lack of information and that the applicant was not present to answer any questions.

Motion to approve a 3 ft. variance to expand an existing deck into the sight line setback at 12294 Windsor Beach, parcel 06-11-531-008.

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

Motion failed.

Motion to deny a 3 ft. variance to expand an existing deck into the sight line setback at 12294 Windsor Beach, parcel 06-11-531-008.

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

Motion carried.

ZBA20-003 Ridgway White, 111E Court St, Flint MI 48502: Requesting a 20 ft. sight line setback variance and a variance from the requirement to have at least a 4:12 roof pitch to build a new house at 14091 Swanee Beach, parcels 06-23-530-013 and 06-23-530-014.

Secretary Spear reviewed the file. Ridgeway White, expressed the need for a sight line variance due to the topography of the property, the curve of the shoreline, and the existing road right-of-way/ sewer easement in the middle of the property.

Trustee Lorraine questioned if there would be a railing along the deck? Mr. White responded that there would not be a railing.

Commission Baran asked if the pool would be fenced in. Mr. White explained that there would be an automatic pool cover that meets building code.

Chairpersons Cady opened the Public Hearing.

Secretary Spear read into record letters from Ann Serra-Lowney, 14073 Swanee Beach Drive and Tres Kline, 14113 Swanee Beach in favor of the variance request.

Motion to approve a 20 ft. sight line setback variance and a variance from the requirement to have at least a 4:12 roof pitch to build a new house at 14091 Swanee Beach, parcels 06-23-530-013 and 06-23-530-014.

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

Motion carried

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

ADJOURN: 8:17 p.m.

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Chairperson Cady
Minutes Posted

Secretary Spear