

**MINUTES OF THE
CITY OF ST. CLAIR SHORES
FENCE ARBITRATION**

Wednesday, May 19, 2021

Meeting of the Fence Arbitration Board, held in the Jefferson
Conference Room, located at 27600 Jefferson Circle Dr., St. Clair Shores, Michigan.

Present:

Matthew Coppler, City Manager
Peter Accica, Council Member
Herald Perkakis, City Attorney
Julie Kandt, Recording Secretary

Also Present:

Monica Wargo
Katelyn McLamon
William Mulligan
Samantha Steven
Jennifer Lynn
Mike Fisher

Absent

1. CALL TO ORDER

Mr. Coppler called the meeting to order at 2:00 p.m.

2. CASES TO BE HEARD

Case #05-2021 31050 Manhattan – Monica Wargo (TABLED FROM APRIL MEETING)

Install 6-ft wood privacy fence around perimeter of rear yard. *(Reason for denial: work already done, good side is facing in.)*

Petitioner said I installed the fence two and half years ago and I didn't know I needed a permit, and it's facing the wrong way. She said my neighbors are fine with it. Accica said do you have letters from neighbors.

Motion by Mr. Accica, seconded by Mr. Coppler to approve to leave the fence the way it is with letters from adjacent neighbors.

**Ayes: 2
Motion carried**

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Case #06-2021 23209 Robert John – Katelyn McLamon & William McIntyre

Request to install 6-ft white vinyl privacy fence along right side property line. *(Reason for denial: water adjacent.)*

Petitioner said our existing fence started falling down from a storm. We're replacing just the one side because we have a pool and a dog. I have letters from the neighbors. We are just replacing what we have already. Accica usually we make it step it down as you get closer to the water, like bring one panel to 5 feet, then one to 4 feet before the canal. Petitioner said the other reason we need 6-ft is because we have an inground pool, we want to be safe. We got signatures from the neighbor next to us and the one next to them. We're doing this for safety, there's a ton of kids. Board asked again about stepping it down. Petitioner said we prefer to have a six-foot fence. City attorney said we ask this of almost water cases, because the next person will say "why could she do that and we can't." It's a domino effect. Accica said what happens when new neighbors come in. Petitioner stated she wants to be in code with fence rules with pools. Board confirmed pool barriers are required to be a minimum of 48 inches.

Motion by Mr. Coppler, seconded by Mr. Accica, to approve the privacy fence with the last two panels stepping down from 6 feet, to 5 feet, then down to 4 & ½ feet at the canal.

**Ayes: 2
Motion carried**

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Case #07-2021 21821 Avalon – William Mulligan

Request to install 4-ft wood fence surrounding the complete front yard. (Reason for denial: fence goes beyond front of house.)

Petitioner said I just purchased my house in September, I had a friend of mine mock up my property. My parcel size is 107 x 35 and the rear face of house is 7-ft from the fence. That puts me 80-90 feet from the curb. I want something in the front, so I have room to entertain, have dog room, etc. For perspective, if I'm sitting on my front porch, I see the back sides of both my neighbors houses. Where I would like it to go would be enclosing the whole front. Accica said it would be nice if there were dimensions on this plan, and we don't normally allow this. Petitioner said I went to neighbors they have no problem. City attorney asked if he has written permission and added that visibility is a big issue. Coppler asked how many of these types of requested have we grants. Recording secretary said very few. City attorney asked what the reason is we don't allow fences in the front. Coppler said every city is just different, and it's a visibility issue for backing out of the driveway. Coppler asked how far off the sidewalk, he said it would be about 4-ft from the sidewalk. Coppler said a car length would be good. Coppler said what kind of fence are you doing. Petitioner said single side picket with no space. But I'm also open to other ideas.

Motion by Mr. Accica, seconded by Mr. Coppler, to table the case until next month, at which point you can bring letters from neighbors, redraw the plan with measurements, distance between sidewalk and fence, type of fence.

**Ayes: 2
Motion carried**

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Case #08-2021 21309 Yale – Samantha Steven

Request to install a 6-ft wood privacy fence along right side property line. (Reason for denial: work already done, installed with good side facing in.)

Petitioner I'm a first-time homebuyer, this is all new to me. I'm from Warren. I think I filled the permit in wrong, this is my neighbor Jennifer. Jennifer said my husband and son put the fence in. We do rent the home, but we have a letter from the property owner.

Motion by Mr. Accica, seconded by Mr. Coppler to approve.

**Ayes: 2
Motion carried**

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Case #09-2021 22204 Bon Heur – Mike Fisher

Request to install 6-ft wood privacy fence along both side property lines, and a 4-ft gate across the driveway. (Reason for denial: homeowner wants to install fence with good side facing in.)

Petitioner said we've lived here about 30 years. We had an old rusted fence, it was pretty bad. My neighbor to the left decided to erect a 6-ft chainlink fence, I was trying to work with her for something different. She went ahead and put that fence up. I would prefer a wood fence rather than stare at her fence. There's no way to put the good side facing her. Accica said she won't see the bad side anyway. Petitioner said I'm on the corner of Bon Heur and B street. And the other side, my neighbor said I could have the good side. Accica said you'll have to still weed whip for the portions in between. Petitioner submitted letter from neighbor at 22200 Bon Heur.

Motion by Mr. Accica, seconded by Mr. Coppler to approve.

**Ayes: 2
Motion carried**

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3. ANY OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

None.

4. APPROVAL OF MINUTES

Motion by Mr. Accica seconded by Mr. Coppler to approve the minutes of April 21, 2021 as submitted.

**Ayes: 2
Motion carried**

5. AUDIENCE PARTICIPATION

None

6. ADJOURNMENT

**Motion by Mr. Coppler, seconded by Mr. Accica to adjourn the meeting at 2:33 pm.
Ayes: 2
Motion carried**

(THE PRECEDING MINUTES ARE A SYNOPSIS OF THE FENCE ARBITRATION MEETING AND DO NOT REPRESENT A VERBATIM RECORD.)