

**PROPOSED MINUTES OF THE
CITY OF ST. CLAIR SHORES
BOARD OF FENCE APPEALS**

Thursday, June 1, 2023

Meeting of the Board of Fence Appeals held in the Council Chambers, located at 27600 Jefferson Circle Dr., St. Clair Shores, Michigan.

Present:

Steve Scavone, Vice Chair
Duane Michno, Chair
Peter Stellas, Secretary
Denise Pike, Community Services Director
Eric Shepherd, City Attorney
Veronica Black, Recording Secretary

Also Present:

Sandra Lynch, petitioner
Russell Bell, 23257 Clairwood

1. CALL TO ORDER

Chairman Michno called the meeting to order at 7:50 p.m., roll was called and a quorum was present. The Pledge of Allegiance was said by all. Secretary Stellas instructed the petitioners that it is understood by the Fence Board of Appeals that their presence here today constitutes that they are a legal representative of the petitioner and that each statement of intent, promise and/or pledge, made by the petitioner or agent, either orally or in writing, permitted by ordinance shall be binding upon the petitioner and shall be a condition of set variance if approved.

2. CASES TO BE HEARD

Case:#02-2023 – Sandra Pierce Lynch – 23263 Clairwood

Re: CLAIRWOOD SUB'N (L25, P27) W 45' OF LOT 19

Location: East of Jefferson, South of 9 Mile Road

REQUEST: Install approximately 36' of 6' tall vinyl privacy fence along west side of property up to the front of the house, not going beyond front of house.

Property owner Sandra Lynch in attendance. Lynch appeared before the February 15, 2023 Fence Arbitration Board as Case #01-2023 to make this same request and was denied. She is before the Board today for reconsideration of the full request.

Petitioner Appeal: Lynch explained the request. Lynch stated the fence is being requested for safety reasons, and for separation of property. Lynch described a feud with the neighbors to the west. Lynch was approved at a previous Fence Arbitration meeting for a privacy fence in the rear yard of her property.

Audience participation: Russell Bell, 23257 Clairwood, present. He has lived next to Lynch for years. He has four vehicles that he parks in his driveway. Bell explained that placing the fence along his driveway will make it difficult to access his vehicles, particularly in the event of a medical emergency.

Bell explained physical altercations between his wife with Lynch's husband. Chairman Michno explained that all physical altercations must be addressed by the SCSPD rather than with the Board of Fence Appeals.

Shepherd explained the factors that the Board will be considering when making their decision:

- a. To what extent construction, repair or alterations of the fence would be reasonable to interested parties based upon the general health, safety, and welfare of the public.
- b. Practical difficulties created by compliance with the article (City of St. Clair Shores Code of Ordinances Section 8-227-8-245).
- c. Unique conditions or circumstances.

Board Discussion:

A discussion occurred, led by Secretary Stellas, on the unique conditions of this case.

Vice Chair Scavone said the Board must consider all factors when making a motion. The proposed fence will make it difficult for the neighbor to access his vehicles, particularly in winter.

Motion by Secretary Stellas, seconded by Vice Chairman Scavone, to deny the request to install approximately 36' of 6' tall vinyl privacy fence along west side of property up to the front of the house, not going beyond front of house due to the unnecessary hardship it creates for the neighbors.

**AYES: All
NAYS: None
ABSENT: None
MOTION: Passed**

The fence ordinance would allow a chain link fence up to the front of the house. The Board encouraged Lynch to meet with CDI to obtain a permit for such a request.

3. AUDIENCE PARTICIPATION - NONE

4. APPROVAL OF MINUTES

Motion by Secretary Stellas, seconded by Vice Chair Scavone to approve the Fence Board of Appeals minutes from December 4, 2014, July 21, 2022 (Special meeting), and January 4, 2023 (Special meeting).

**AYES: All
NAYS: None
ABSENT: None
MOTION: Passed**

5. ADJOURNMENT

Motion by Secretary Stellas, seconded by Vice Chair Scavone, to adjourn the meeting at 8:09 pm.

**AYES: All
NAYS: None**

ABSENT: None
MOTION: Passed

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