
MINUTES OF REGULAR MEETING – *Approved March 13, 2025***BOARD OF ZONING APPEALS****Thursday, January 9, 2025, 6:30 P.M.****600 W. Maple Street, Lansing MI**

I. ROLL CALL

The meeting was called to order by Chairperson Alling at 6:30 p.m.

Present: M. Alling, K. Berryman, B. Fryling, C. Iannuzzi, H. Lowry & M. Rice

Absent: J. Leaming, E. Jefferson & M. Jackson

Staff: S. Stachowiak

A quorum of at least five members was present, allowing voting action to be taken at the meeting.

II APPROVAL OF AGENDA

It was moved by Mr. Lowry, seconded by Mr. Iannuzzi to approve the agenda with the addition of “Excused Absences” under New Business. On a voice vote, the motion carried unanimously (6-0).

III. PUBLIC COMMENT - None**IV. PUBLIC HEARING/ACTION**

A. BZA-4091.25, 804 Clyde Street and vacant lot between 808 and 818 Clyde Street – Variance to the height restriction for a front yard fence.

Ms. Stachowiak presented the staff report for the variance request to permit a 6-foot-high wood privacy fence in the front yards of the corner property at 804 Clyde Street and the interior property located between 808 and 818 Clyde Street. She reported that the fences that are the subject of this request have already been constructed, except for a part of the fence on 804 Clyde Street that runs parallel to Oakland Avenue. Ms. Stachowiak recommended approval of the variance to permit the fence on the vacant lot between 808 and 818 Clyde Street as it is located a significant distance from the street and thus, has no impact on the streetscape and because it provides privacy and security for the adjoining property owners to the north and south. Ms. Stachowiak recommended denial of the fence on the corner lot at 804 Clyde Street as it is in direct conflict with the intent of the ordinance with regard to its appearance and impact on the streetscape. She also reminded the Board that it has denied several other requests in the past for privacy fences in front yards and on corner lots in particular.

Ms. Alling opened the public hearing.

Patrick Patterson, representing the applicant, Mid-Michigan Recovery Services (MMRS) stated that MMRS is the only provider of drug and alcohol treatment for

women in the area and the fence is necessary to provide a safe haven for the women in the facility. He said that the fence is located a substantial distance from the streets and does not impact visibility for motorists when exiting driveways or when turning at street intersections in the area. He offered to install landscaping along the fence line to soften its appearance.

Abigail Knaggs, 818 Clyde Street, expressed concerns about trespassing on her property as it is use it as a cut-through.

Michael Nottage, 818 Clyde Street, stated that the fence does not impact vision for motorists in the area. He also said that it prevents trespassing and provides privacy for his property.

Seeing no one else wishing to speak, Ms. Alling closed the public hearing.

Mr. Rice expressed concerns about setting a negative precedent where front yard fences are concerned since there is nothing unique about the subject property that would warrant relief from ordinance. He also stated that the Board has consistently denied similar requests for front yard privacy fences over the years.

Ms. Alling stated that she is concerned that the variance would set a negative precedent for other requests to vary the fence height limitation, particularly on corner lots.

Mr. Lowry stated that while he understands the issues surrounding safety for the residents of the facilities, the issuance of a variance has to be based on a unique physical feature of the site rather than the use of the property.

Mr. Fryling made a motion to approve BZA 4091.25 for a variance to permit a 6-foot-high wood privacy fence in the front yard at 804 Clyde Street and to approve a variance to permit the 6 foot high wood privacy fence as it currently exists in the front yard on the property located between 808 and 818 Clyde Street on a finding that the variance at that location is consistent with the evaluation criteria listed in Sections 1274.06 (c) & (e) of the Zoning Ordinance, with the condition that the applicant plant one arborvitae, with a minimum starting size of 6 feet in height, planted 8 feet apart on the exterior side and for the length of the fence that runs parallel to Oakland Avenue. The motion was not seconded.

Mr. Iannuzzi made a motion, seconded by Mr. Lowry to approve BZA 4091.25 for a variance to permit the 6-foot-high wood privacy fence in its current location in the front yard on the property located between 808 and 818 Clyde Street on a finding that the variance is consistent with the evaluation criteria listed in Sections 1274.06 (c) & (e) of the Zoning Ordinance. On a roll call vote, the motion carried unanimously (6-0).

Mr. Iannuzzi made a motion, seconded by Mr. Lowry to deny BZA 4091.25 for a variance to permit the 6-foot-high wood privacy fence in the front yard at 804 Clyde Street on a finding that the variance would not be consistent with the

evaluation criteria listed in Sections 1274.06 (c) & (e) of the Zoning Ordinance. On a roll call vote, the motion carried unanimously (6-0).

V. **OLD BUSINESS** – None

VI. **NEW BUSINESS**

A. Excused Absences.

Ms. Iannuzzi made a motion, seconded by Mr. Rice to approve excused absences for Mr. Leaming, Ms. Jefferson and Mr. Jackson. On a voice vote, the motion carried unanimously (6-0).

VII. **APPROVAL OF MINUTES**

A. Regular Meeting, October 10, 2024

Mr. Lowry made a motion, seconded by Mr. Iannuzzi to approve the October 10, 2024 meeting minutes as presented. On a voice vote, the motion carried unanimously (6-0).

VIII. **PUBLIC COMMENT** - None

IX. **ADJOURNMENT** AT 7:27 p.m.

Respectfully Submitted,

Susan Stachowiak, Zoning Administrator