

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

Wednesday, February 15, 2023

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

Present:

Dustin Lent, City Manager
Peter Accica, Council Member
Bob Ihrie, City Attorney
Mike Green, Asst City Manager
Julie Kandt, Recording Secretary

Also Present:

Russell Bell, 23257 Clairwood
Sandy Lynch, 23263 Clairwood

1. CALL TO ORDER

Dustin Lent called the meeting to order at 2:04 p.m.

2. CASES TO BE HEARD

Case #01-2023 23263 Clairwood – Sandy Lynch

Request to install approximately 36 feet of 6 ft vinyl privacy fence along west side of property, up to the front of the house (not going beyond front of house). (*Reason for denial: privacy fence on water adjacent property.*)

Sandy Lynch said we put up a fence in 2020 that surrounded the backyard, which we were approved for. Now we find it necessary to extend that. Our front porch faces the side yard. We have constant problems with the neighbor, there are court orders, we don't speak. They have now put a camera up pointing right on our front porch. If my husband sits out there and smokes, they call the police. Mr. Bell (the neighbor) said it's because of the PPO. Petitioner said our lawyer said there's no reason to not sit on the porch. We wouldn't have any further problems.

Dustin Lent said fences aren't going to end disputes. If you have issues with cameras, you can work with the police department, we're not here to be the camera police. You mentioned a PPO, we are not able to address that either. We're here only to look at the fence. Personal problems aren't a reason to allow a fence. Petitioner said there are many others who have it. Recording secretary reminded board that petitioner is here because it's a privacy fence, if it was a 4-ft picket fence, she'd be allowed to install without a variance – providing that it meets city ordinance.

Petitioner said to the neighbor, I'm going to put a fence up regardless then. Mr. Bell said I can't open my car door with any fence there, and I don't want a 6-ft fence on the side of the house. He said if you put up a fence I want a survey. Petitioner said I can't afford a survey. There was discussion among the neighbors about the approach and how it indicates where the property line is. Board reminded both parties that property line disputes are a civil issue. City doesn't determine property lines. Petitioner said the purpose of the fence is so we can sit on our porch and not look at you.

Motion by Lent, seconded by Accica, to deny the request, with the petitioner to resubmit another fence request that meets city ordinance.

**Ayes: 2
Motion carried**

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

4. **APPROVAL OF MINUTES**

Motion by Mr. Accica, seconded by Mr. Lent to approve the minutes of December 21, 2022 as submitted.

**Ayes: 2
Motion carried**

5. **AUDIENCE PARTICIPATION**

Petitioner asked questions about the potential for a 4-ft fence, board explained she can discuss that with CDI.

6. **ADJOURNMENT**

Motion by Mr. Accica seconded by Mr. Lent, to adjourn the meeting at 2:18 pm.

**Ayes: 2
Motion carried**

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