

A regular meeting of the Building Code Board of Appeals was called to order at 8:35 a.m. on Wednesday, September 2, 1992 by Acting Chairman, James Halsey.

PRESENT: James Halsey
Mike Karloff
Kulsum Rashid
Mark Stimac

ABSENT: Ted Dziurman

APPROVAL OF AUGUST 5, 1992 MINUTES

Motion by Karloff
Supported by Rashid

MOVED, to approve the August 5, 1992 minutes.

Yeas: 4
Nays: 0
Absent: 1- Dziurman

MOTION TO APPROVE CARRIED

ITEM #1 Gulf Construction Co, 3977 & 3978 Victoria, for
relief of Chapter 83 (Fence Ordinance).

Mr. Stimac explained that the petitioner is the developer of the Parkview Estates Subdivision. He has proposed to construct masonry entrance walls on the east and west sides of Victoria Drive at the Wattles Road intersection. The walls which are up to 5 feet in height are proposed to be located 1 foot away from the Wattles property line and 12 feet from the property lines along Victoria Drive. Lot #33 is a double front lot and the proposed wall is located in the front yard of both Wattles and Victoria. Lot #1 is not a double front corner lot but the wall is obscuring and encroaching into the front yard of Victoria. Chapter 83 of the City Code limits fences in front yards to 30 inches high and limits fences along side streets on non-double front lots to a non-obscuring fence 48 inches high maximum.

Gary Tadian, developer/builder for the subdivision was present. Mr. Tadian stated that the subdivision entrance wall is to create a sense of entry into the subdivision which many new subdivisions lack. All developers try to convey a sense of entry to the subdivision. The structure will be tied in with the houses. Mr. Tadian stated he has addressed the Department of Public Works concerns for access to utilities. The only footing will be for posts at each end of the structure and the brick will be supported in a channel. Mr. Tadian also stated that he has discussed the matter with Parks and Recreation and maintenance of the sign and landscaping, in the future, will be handled through the subdivision association by-laws. He has talked with new home owners and they are happy with the proposal. Mr. Tadian also stated that there is an easement on both properties to allow access to the subdivision entrance structure.

21

The Chairman opened the public hearing.

There were no comments from the audience.

The Chairman closed the public hearing.

There were 2 approval on file: Mr. & Mrs. Jerry F. Latimer, 3975 Kings Point - Tunis Creech, 1815 E. Wattles.

There was 1 objection on file: Margaret Trublowski, 3949 Highland.

Motion by Rashid

Supported by Karloff

MOVED, to grant Gulf Construction Co., 3977 & 3978 Victoria, a variance, as requested, for relief of the Fence Ordinance to erect subdivision entrance structures 1 foot from the Wattles property line and 12 feet from the Victoria property line and are up to 5 feet in height:

1. It is an attractive entrance to the subdivision.
2. The approval conditioned on the approval from the Department of Public Works and Parks & Recreation.

Yeas: 4

Nays: 0

Absent: 1- Dziurman

MOTION TO APPROVE REQUEST CARRIED.

ITEM #2 Carla Vaughan, 4487 Brandywyne, for relief of Chapter 83, (Fence Ordinance)

Mr. Stimac explained that the petitioner's property is located at the northwest corner of the intersection of Brandywyne and Riverchase Drive. This lot, by definition, is a double front corner lot. Chapter 83 of the Troy City Code limits fences in a front yard to be no more than 30 inches high. The petitioner is seeking relief to place a 4 foot high chain link fence 6 feet off the property line along Riverchase Drive.

Carla Vaughan was present and stated that the old fence is in need of replacement. The present fence runs in line with the house and they propose to move it out to within 6 feet of the sidewalk. They also plan to install landscaping along the new fence. The fence is to keep her two small kids in the yard. Ms. Vaughan stated it would look funny to install landscaping adjacent to the fence in its present location and the fence would have to stay there if her variance is not approved. Ms. Vaughan stated she feels it will look better than what is there now. Ms. Vaughan also stated that the people who object to the fence are not in her subdivision, they are mostly from the subdivision north of them. Ms. Vaughan also stated that the people from her subdivision that objected cannot see the fence from their house.

BUILDING CODE BOARD OF APPEALS

SEPTEMBER 2, 1992

ITEM #2

The Chairman opened the public hearing.

There were no comments from the audience.

The Chairman closed the public hearing.

There were 2 approvals on file: George & Jeanne Latcham, 4490 Brandywyne - Mariam L. Sampson, 4485 Riverchase.

There were 9 objections on file: Mr. & Mrs. Keith Clapp, 4414 Brandywyne - John & Donna Morgan, 4490 Riverchase - Gerhard H. Kahn, 4456 Cherrywood - Kenneth Neely, 4498 Riverchase - Gary M. Missig, 4493 Riverchase - James Howell and Victoria Howell, 4482 Riverchase - Ann & George Tsiminakis, 4512 Riverchase - James E. Miller, 4501 Riverchase - Richard D. & Carolyn Pope, 4376 Brandywyne.

Motion by Halsey
Supported by Stimac

MOVED, to grant Carla Vaughan, 4487 Brandywyne, a variance, as requested, for relief of the Fence Ordinance to construct a 4 foot high chain link fence, 6 feet from the property line along Riverchase:

1. The request is for replacement and relocation of an existing fence.
2. The petitioner has stated that landscaping would be installed along the fence as a visual effect. Landscaping is a condition of the approval.
3. The lot was not platted as a double front lot, therefore does have additional width, moving the fence out gives equal area to other lots in the area for yard use.

Yeas: 4
Nays: 0
Absent: 1- Dziurman

MOTION TO APPROVE CARRIED.

The Building Code Board of Appeals adjourned at 9:02 a.m.

MS/ddb

