



# BUILDING CODE BOARD OF APPEALS REGULAR MEETING AGENDA

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Gary Abitheira, Chair, Teresa Brooks  
Matthew Dziurman, Sande Frisen, Mark F. Miller,

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JANUARY 6, 2021

3:00 PM

REMOTE MEETING

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***Public Comment may be communicated to the Building Code Board of Appeals via telephone voice mail by calling 248-524-3546 or by sending an email to [BCBAPublicComments@troymi.gov](mailto:BCBAPublicComments@troymi.gov). All comments will be provided to the BCBA Board members. All comments must be received by 9 am the day of the meeting.***

1. ROLL CALL
2. SUSPENSION OF BUILDING CODE BOARD OF APPEALS BYLAWS
3. APPROVAL OF MINUTES – December 2, 2020
4. HEARING OF CASES

- A. **VARIANCE REQUEST, ERIC GORMAN, 5350 WESTMORELAND – The applicant seeks to construct a 130-foot long, 72-inch high obscuring fence within the 30 feet required front yard setback when the maximum height limit is 48 inches.**

This property is on a curved lot. Since it is in the R1-C use district, it has a 30 feet required front setback along 5350 Westmoreland Drive front property line. The petitioner is requesting a variance to install a 6 feet high 130 feet long obscuring vinyl fence along 5350 Westmoreland Drive with a setback of one foot \* away from the property line, where the City Code limits fences to 48 inches high due to the fact that there is a back to back relationship to the neighboring rear lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 130 feet and a 12 feet single gate.

\*New proposed set back request of 6 feet to be discussed at the BCBA meeting on January 6<sup>th</sup> 2021.

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- B. **VARIANCE REQUEST, GREGORY ZAGORSKI, 982 BROOKLAWN - The applicant seeks to construct a 63-feet long, 72-inch high obscuring fence within the required front yard setback of 25 feet when the maximum height limit is 30 inches.**

This property is a double front corner lot. Since it is in the R1-E use district, as such it has 25 feet required front setback along both Wrenwood Dr. and Brooklawn Dr. The petitioner is requesting a variance to install a 6-feet high 144 feet obscuring Vinyl fence. Setback 3 feet from the property line along the Wrenwood Dr side where City Code limits to 30 inches high fences due to the fact that there isn't a back to back relationship to the rear neighboring lot. This is a non-conforming structure/lot so the fence shall not increase the non-conformity, per Chapter 39, Article 14 of the City of Troy Zoning Ordinance. The total length of the fence requested by the petitioner to be permitted by the Building Department is 144 feet, which 81 feet of the fence do not require a variance.

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@troymi.gov](mailto:clerk@troymi.gov) or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

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- C. **VARIANCE REQUEST, LEANN BLANKENSHIP, 5970 SUSSEX DRIVE – The applicant seeks to construct a 126-foot long, 60-inch high chain-link non-obscuring fence and 103-foot, 72 inch high wood obscuring fence within the required 40 feet front yard setback when the maximum height limit is 30 inches.**

This property is a double front corner lot. Since it is in the R1-A use district, as such it has a 40 feet required front setback along the Sussex Drive and the Arlund Way. The petitioner is requesting a variance to install a 6-foot high, 103 feet long obscuring wood fence parallel with Sussex Dr. and aligned with the front house elevation. The wood fence will encroach into the Arlund Way set back by 39 feet, since it will be at a distance of 1 foot from the property line. The petitioner is requesting in the variance to install a 5 feet high 253 feet long residential black vinyl chain-link, of these 253 feet long fence 87 feet will encroach into Arlund Way and it will be at a distance of 1 foot from the Arlund Way side property line and 39 feet will encroach into Arlund Way in a perpendicular way from the property line. Out of the 253 residential black vinyl chain-link fence only 126 feet requires a variance. The City Code limits to 30 inches high fences due to the fact that there isn't a back to back relationship to the rear neighboring lot.

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5. COMMUNICATIONS
6. PUBLIC COMMENT
7. MISCELLANEOUS BUSINESS
8. ADJOURNMENT