

Chair Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:01 p.m. on October 6, 2021 in the Council Chamber of Troy City Hall.

1. ROLL CALL

Members Present

Gary Abitheira

Teresa Brooks

Matthew Dziurman

Sande Frisen

Members Absent

Mark F. Miller, City Manager

Support Staff Present

Salim Huerta, Building Official

Kathy L. Czarnecki, Recording Secretary

2. SUSPENSION OF BUILDING CODE BOARD OF APPEALS BYLAWS

Moved by: Dziurman

Support by: Abitheira

**RESOLVED**, To suspend the Suspension of Building Code Board of Appeals Bylaws.

Yes: All present (4)

Absent: Miller

3. APPROVAL OF MINUTES

Moved by: Frisen

Support by: Brooks

**RESOLVED**, To approve the minutes of the September 1, 2021, Regular meeting as submitted.

Yes: All present (4)

Absent: Miller

**MOTION CARRIED**

4. HEARING OF CASES

- A. **VARIANCE REQUEST, SASI GOWNIWARI, 1682 BURR OAK DRIVE** – This property is an interior lot of the R-1C Zoning district. Per the City of Troy Code Chapter 83 Fences Section (2) Fence Construction in residential areas, item (A) It indicates that in residential areas no fence shall be constructed to a height of more than six (6') feet above the existing grade of the land. The petitioner is requesting a

variance to install 280 feet of vinyl privacy fence at a height of seven (7') feet in the back yard, where City Code limits the height to six (6') feet. *CHAPTER 83*

Mr. Huerta reported the petitioner requests to withdraw the item until further notice.

Moved by: Frisen  
Support by: Dziurman

**RESOLVED**, To withdraw the 1682 Bur Oak Drive variance request.

Yes: Brooks, Dziurman, Frisen  
Abstain: Abitheira  
Absent: Miller

**MOTION CARRIED**

- B. **VARIANCE REQUEST, MICHAEL BOOKER SR. AND LYNETTE BOOKER, 2026 BLUE SPRUCE** – This property is a double front corner lot. Per the City of Troy Zoning Ordinance, it is in the R-1C use district. As such per Chapter 83 of the City of Troy Code, it has 30 feet required front setback along both John R and Blue Spruce Drive. The petitioner is requesting a Building Permit to install 103.5 feet of a 6-foot high, vinyl obscuring fence at the rear property line perpendicular to John R. Out of the 103.5 feet of fence, the petitioner is requesting a variance for the 30 feet that encroach into the John R 30 feet required setback, where the City Code limits obscuring fences to 30 inches in height; due to the fact that there isn't a back-to-back relationship to the rear neighboring lot. *CHAPTER 83*

Mr. Huerta read the variance request narrative.

Chair Abitheira opened the floor for public comment. Acknowledging there was no one present to speak, Chair Abitheira closed the floor for public comment.

Petitioner Lynette Booker was present and requested to postpone the variance request until there was a full board present.

Moved by: Dziurman  
Support by: Frisen

**RESOLVED**, To suspend review of the 2026 Blue Spruce variance request until the following board meeting held in November.

Yes: All present (4)  
Absent: Miller

**MOTION CARRIED**

5. COMMUNICATIONS – None

6. PUBLIC COMMENT

There was no one present in the audience to speak.

7. MISCELLANEOUS BUSINESS

None.

8. ADJOURNMENT

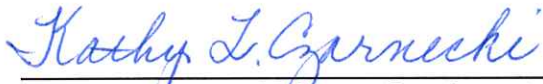
The Regular meeting of the Building Code Board of Appeals adjourned at 3:06 p.m.

Respectfully submitted,



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Gary Abitheira, Chair



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Kathy L. Ozarnecki, Recording Secretary

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