Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on June 4, 2014 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Members Present:
Theodore Dziurman, Chair
Gary Abitheira
Teresa Brooks
Michael Carolan

Absent:
Brian Kischnick

Support Staff Present:
Mitch Grusnick, Building Official/Code Inspector
Kathy L. Czarnecki, Recording Secretary

Also Present:
Attached and made a part hereof is the signature sheet of those present and signed in at this meeting.

2. APPROVAL OF MINUTES

Moved by: Carolan
Support by: Brooks

RESOLVED, To approve the minutes of the May 7, 2014 Regular meeting as submitted.

Yeas: All present (4)
Absent: Kischnick

MOTION CARRIED

3. HEARING OF CASES

A. **VARIANCE REQUEST, SCOTT N. SCHUMAKER, 3216 ADAMS** – This property is a double front corner lot. As such, it has required front setbacks along both Adams and Newgate. The petitioner is requesting a variance to install a 6' high privacy fence in the required front setback along Newgate where the City Code limits the height of fences to 30".

Mr. Grusnick reviewed the variance request. He reported the department received no responses to the public hearing notices. Mr. Grusnick said it appears the existing fence along Upton is located in the City right of way and informed the Board the applicant would have to relocate the fence off the right of way should the variance be granted.

The applicant, Scott Schumaker, said the existing fence is in disrepair. Mr. Schumaker said the new fence would be installed in the same location and indicated a privacy fence would provide safety and security for his children and dog.

There was discussion on:

- Historical data of property as relates to existing fence.
- Fence perimeter does not enclose house.
- Specifications as relates to a non-conforming fence.
- Required 25-foot corner clearance in place with existing fence.
- Characteristics of property as relates to double front corner lot and adjacent church.

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

Moved by: Abitheira
Support by: Carolan

RESOLVED, To grant the variance request as submitted to replace the existing fence with a 6' high privacy fence in the same location as the existing fence except where it is on City right of way (along Upton), for the following reason:

1. The petitioner has a hardship or practical difficulty resulting from the unusual characteristics of the property that precludes reasonable use of the property.

Yeas: All present (4)
Absent: Kischnick

MOTION CARRIED

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS

None.

7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:15 p.m.

Respectfully submitted,

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Theodore Dziurman, Chair

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Kathy L. Czarnecki, Recording Secretary

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