

A regular meeting of the Building Code Board of Appeals was held on Wednesday, July 7, 2004 in the Council Board Room of City Hall. The Chairman, Ted Dziurman, called the meeting to order at 8:30A.M.

PRESENT: Ted Dziurman  
Rick Kessler  
William Nelson  
Tim Richnak  
Frank Zuazo

ALSO PRESENT: Mark Stimac, Director of Building & Zoning  
Ginny Norvell, Inspector Supervisor  
Pam Pasternak, Recording Secretary

#### **ITEM #1 – APPROVAL OF MINUTES MEETING OF JUNE 2, 2004**

Motion by Kessler  
Supported by Richnak

MOVED, to approve the minutes of the meeting of June 2, 2004 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES CARRIED

**ITEM #2 – VARIANCE REQUESTED. PATRICK SIEBER, OF ALLIED SIGNS, 846 E. BIG BEAVER,** for relief of the Sign Ordinance to install a second wall sign, 66 square feet in size.

Petitioner is requesting to install a second wall sign, 66 square feet in size for the Fitness Experiences. Section 9.02.04, B of the Ordinance permits a maximum of 98 square feet of wall signage at this location. There is an existing wall sign on the north side of the building, which is 95 square feet, and with the addition of the proposed 66 square foot sign on the south side of the building facing I-75, the signage would total 161 square feet.

This item last appeared before this Board at the meeting of June 2, 2004 and was postponed to allow the petitioner the opportunity to determine if the sign on the front of the building could be made smaller.

The petitioner was not present.

Motion by Richnak  
Supported by Nelson

**ITEM #2 – con't.**

MOVED, to postpone the request of Patrick Sieber, of Allied Signs, 846 E. Big Beaver, for relief of the Sign Ordinance to install a second wall sign, 66 square feet in size until the meeting of August 4, 2004.

- To allow the petitioner the opportunity to be present.

Yeas: All – 5

MOTION TO POSTPONE REQUEST UNTIL AUGUST 4, 2004 CARRIED

**ITEM #3 – VARIANCE REQUESTED. BALWINDER CHANA, 1207 HARTLAND,** for relief of Chapter 83 to install a 42" high fence in the front setback along Daley.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 83 to install a 42" high wrought iron style fence. This property, located at the northeast corner of Hartland and Daley, is a double front corner lot. It has front yard requirements along both Hartland and Daley. Chapter 83 limits the height of fences in front setbacks to 30" in height. The permit application indicates a 42" high wrought iron style fence located 5' from the west property line along Daley.

Mr. Chana was present and stated that he wished to put up this fence up to provide safety for his daughter while she was in the back yard. Mr. Chana said that this fence would not be very noticeable and would be aesthetically pleasing.

Mr. Nelson asked if the sidewalk was along the property line. Mr. Stimac explained that there is a 5' easement and the sidewalk is 1' away from the house side of the easement.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written approval on file. There are no written objections.

Mr. Kessler stated that he would like to see the fence set farther back from the sidewalk as he believes the fence would cause this area to be very narrow.

Mr. Zuazo asked if Mr. Chana wished to enclose the whole yard and Mr. Chana said it would be around most the yard.

Mr. Richnak questioned Mr. Chana regarding the area of the fence, which would come to the front of the garage. Mr. Chana explained that they would like to use this area for a garden and would also like to put a swing set there. Mr. Richnak said that he agreed with Mr. Kessler and would also like to see the fence farther away from the sidewalk.

**ITEM #3 – con't.**

Mr. Richnak also asked if the fence would be allowed to come all the way to the front of the garage. Mr. Stimac said that if this home was on an interior lot, the petitioner would be able to put up a 6' high privacy fence in this area, and it would comply with the requirement of the Fence Ordinance.

Mr. Zuazo asked how many feet there were from the edge of the house to the north property line. Mr. Chana stated that it was about 40'. Mr. Richnak asked if Mr. Chana had discussed this request with the neighbor behind me and Mr. Chana stated that he had not; however, he had talked to the neighbor kitty corner to him who has a 4' high fence around his property.

Mr. Zuazo said that he feels this fence would be very encapsulating and would like to see it set farther back from the sidewalk. Mr. Chana said he would be agreeable to this plan.

Motion by Richnak  
Supported by Kessler

MOVED, to grant Balwinder Chana, 1207 Hartland, relief of Chapter 83 to install a 42" high fence in the front setback along Daley.

- Fence will be 10' from the west property line, which will result in a distance of 6' from the sidewalk.
- Fence will be installed only to the northwest corner of the garage.
- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.

Yeas: All – 5

MOTION TO GRANT VARIANCE WITH STIPULATIONS CARRIED

The Building Code Board of Appeals meeting adjourned at 8:50 A.M.

  
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Ted Dzuirman, Chairman

  
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Pamela Pasternak, Recording Secretary