

Assistant Fire Chief, Rick Sinclair, called the meeting of the Building Code Board of Appeals to order at 8:33 A.M.

PRESENT: Rick Kessler
Bill Need
Rick Sinclair
Frank Zuazo

ALSO PRESENT: Mark Stimac
Ginny Norvell
Pam Pasternak

ABSENT: Ted Dziurman

ITEM #1 – APPROVAL OF MINUTES – MEETING OF JULY 3, 2002

Motion by Need
Supported by Kessler

MOVED, to approve the minutes of the meeting of July 3, 2002 as written.

Yeas: 4 – Kessler, Need, Sinclair, Zuazo
Absent: 1 – Dziurman

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

Mr. Stimac stated that he had spoken to Mr. Dziurman who is undergoing physical therapy, but hopes to be at the September meeting of the Building Code Board.

ITEM #2 – VARIANCE REQUESTED. MR. & MRS. MIKE GIORGI, 5443 ENGLISH, for relief to install a 4' high wood picket fence in the front setback along Willard.

Mr. Stimac explained that the petitioners are requesting relief to erect a 4' high wood picket fence. This lot is a double front corner lot. As such, it has a front yard along both English and Willard. Chapter 83 limits fences in required front yards to 30" in height. The site plan submitted indicates a 4' high wood non-obscuring picket fence in the required front setback along Willard.

Mrs. Lynn Giorgi was present and stated that they have adopted a large dog and are experiencing some difficulty with keeping her contained in the yard. Mrs. Giorgi stated that presently they have her tied and they are afraid she may get hurt. Mrs. Giorgi also stated that they plan on removing a great deal of the existing split rail fence and believes that this fence will be much more aesthetically pleasing. She stated that because the school is located behind her, many people walk along this sidewalk and there is a need to enclose the property

Mr. Sinclair opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are eight (8) written approvals on file. There are two (2) written objections on file.

ITEM #2 – con't.

Motion by Need

Supported by Kessler

MOVED, to grant Mr. & Mrs. Mike Giorgi, 5443 English, a variance for relief to install a 4' high wood picket fence in the front setback along Willard.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.
- Large portion of existing fence will be removed.

Yeas: 4 – Kessler, Need, Sinclair, Zuazo

MOTION TO GRANT VARIANCE CARRIED

ITEM #3 – VARIANCE REQUESTED. MS. KATHLEEN DEBURGHGRAEVE, 1750 Brentwood, for relief of Chapter 78 to allow the placement of 20 off-site signs for a period of 7 days.

Mr. Stimac explained that the petitioner is requesting relief to allow the placement of 20 off-site signs, 2 square feet in size, for a 7-day period to advertise a special event. Section 14.03 of the Sign Ordinance limits the number of off-site signs for a special event to 4.

Ms. Kathleen Deburghgraeve was present and stated that she and another person makes sure that all of the signs are removed the night the event is closed. Ms. Deburghgraeve also stated that since they have been able to add extra signs, attendance has gone up considerably, which has helped make this event very successful.

Mr. Sinclair opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written objection on file. There are no written approvals on file.

Motion by Need

Supported by Kessler

MOVED, to grant Ms. Kathleen Deburghgraeve, 1750 Brentwood, relief of Chapter 78 to allow the placement of 20 off-site signs to advertise a special event for a period of seven (7) days.

- Variance is not contrary to public interest.
- Variance does not have an adverse effect on surrounding property.

Yeas: 4 – Need, Zuazo, Kessler, Sinclair

ITEM #3 – con't.

MOTION TO GRANT VARIANCE CARRIED

ITEM #4 – VARIANCE REQUESTED. MARC LEDERMAN, ALMAR HOMES, INC., 6113 EVANSWOOD, for relief to construct a 6' high privacy fence in the required front setback along Songbird.

Mr. Stimac explained that the petitioner is requesting relief to install a fence along the north property line of 6113 Evanswood. With the development of the new subdivision and street adjacent to the property, this lot is a double front corner lot. As such, it has a front yard along both Evanswood and the new street Songbird. Chapter 83 limits the height of fences in required front yards to 30" in height. The permit application submitted indicates a 6' high privacy fence in the front yard along Songbird.

Mr. Marc Lederman was present and stated that not only was he representing Almar Homes, Inc., but was also an authorized representative of the homeowner at 6113 Evanswood. Mr. Lederman said that as the developer of this eight (8) home parcel, part of their agreement was to replace the existing fence with a new 6' high privacy fence. Mr. Lederman went on to say that this would provide the homeowner with the privacy they desire and also would result in a harmonious effect with the new development. Mr. Lederman further stated that this was part of their landscaping plan.

Mr. Need stated that construction of the fence had already begun and Mr. Lederman apologized and stated that he did not realize that they would not be able to put the fence in this location. Mr. Need expressed concern over the location of the fence in relation to the right-of-way, and stated that he felt that landscaping would need to be added to reduce the tunnel effect of the fence. Mr. Lederman stated that they plan to add eight (8) pear trees in the right of way, which in effect would be a tree-lined boulevard. Mr. Lederman also said that if the fence were to be moved 10' down, it would not provide the privacy wanted by the homeowner and does not believe it would provide screening from proposed traffic lights, or on-coming traffic.

Mr. Lederman again stated that this fence is part of their over-all landscaping plan and will also serve as a buffer between the new homes and the existing older homes. Mr. Lederman also stated that this homeowner has a chicken coop in her yard and wants the fence to help keep the chickens contained on her property. Mr. Kessler asked if Mr. Lederman had the landscaping plan with him, however, Mr. Lederman did not bring this plan with him. Mr. Need asked if the landscaping plan had been approved by the Parks & Recreation Department, and Mr. Lederman stated that it has not been approved at this time.

Mr. Sinclair opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are three (3) written objections on file. There is one (1) written approval on file.

ITEM #4 – con't.

Mr. Kessler expressed concern over the fact that there is not enough room to add landscaping. Mr. Need stated that although he likes the look of the fence, he would like to see it moved back approximately 10' and would also like to see some type of landscaping added. Mr. Lederman stated that if the fence was required to be moved back, it would not serve the purpose for which it was intended.

Motion by Kessler
Supported by Need

MOVED, to postpone the request of Marc Lederman, Almar Homes, Inc., 6113 Evanswood, for relief to construct a 6' high privacy fence in the required front setback along Songbird.

- To allow the petitioner the opportunity to evaluate the possibility of relocating the fence.
- To allow the petitioner to bring in the landscape plans for review.

Yeas: 4 – Zuazo, Sinclair, Kessler, Need

MOTION TO POSTPONE THE REQUEST OF MARC LEDERMAN UNTIL MEETING OF SEPTEMBER 4, 2002 CARRIED

The Building Code Board of Appeals adjourned at 9:03 A.M.

MS/pp