

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M. on Wednesday, April 4, 2001.

PRESENT: Ted Dziurman
Rick Sinclair
Bill Need
Rick Kessler
Frank Zuazo
Mark Stimac
Pam Pasternak

ITEM #1 – APPROVAL OF MINUTES, MEETING OF MARCH 7, 2001

Motion by Need
Supported by Kessler

MOVED, to approve the minutes of the meeting of March 7, 2001 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 - VARIANCE REQUESTED. GARY ZELDA, 2969 E. BIG BEAVER, for relief of the Sign Ordinance to install a fourth ground sign that is 20 square feet in size.

Petitioner is requesting relief of Chapter 78 to install a fourth ground sign that is 20 square feet in size. Chapter 78, Section 9.02.04 permits two ground signs at this location, and, currently there are three ground signs as a result of a variance granted in 2000.

This item first appeared before the Board at the meeting of March 7, 2001 and was tabled to allow the petitioner the opportunity to approach the owner of the shopping center to find out if they could add their sign to the existing primary ground sign.

The Building Department received a letter from Mr. Zelda asking that this item be withdrawn. No further action taken by the Board.

ITEM #3 – VARIANCE REQUESTED. ALCUIN C. ARCHE, JR., 2983 DASHWOOD, for relief of Chapter 83 to erect a privacy fence in a required front yard.

Petitioner is requesting relief of Chapter 83 to erect a privacy fence at 2983 Dashwood. This lot is a double front corner lot. Chapter 83 limits the height of fences to 30 inches in that portion of the property in front of the building setback line. The permit application submitted proposes a 4'-6" high privacy fence in the front yard setback along Dequindre.

ITEM #3

This item was moved to the end of the agenda, Item #5, to allow the petitioner the opportunity to be present.

ITEM #4 – VARIANCE REQUESTED. JUDY KENNEDY OF GULF GLENWOOD, LLC, REPRESENTING THE ESTATE OF GAIL LAABS, 38695 DEQUINDRE, for relief of Chapter 83 to erect a privacy fence.

Mr. Stimac explained that the petitioner is developing a new single-family residential subdivision adjacent to the property at 38695 Dequindre. With the development of that subdivision a new street is being constructed adjacent to this existing home making the lot a double front corner lot. They are requesting relief of Chapter 83 to erect a 6' high privacy fence along the north property line along the new street Ashbury. Chapter 83 limits the height of fences to 30 inches in that portion of the property in front of the building setback line.

Ms. Judy Kennedy and Mr. Gary Workman of Gulf Glenwood, LLC were present and stated that due to the development of the new subdivision, the new homeowner is requesting this fence in order to maintain his privacy. The entrance to the subdivision will be the entire length of this lot. Ms. Kennedy stated that the privacy fence would cut down on both the noise and lights of incoming traffic. Ms. Kennedy further stated that in order for the homeowner not to lose a majority of his yard, the fence would have to be installed in this location and she also said that they plan to put some landscaping along the fence.

Mr. Dziurman asked if landscaping could be used instead of the fence and Ms. Kennedy replied that the only place that they could install landscaping was in the right of way. Due to the sidewalk they could not plant evergreens that are low to the ground. Mr. Dziurman stated that he did not like the fact that it would look like a row of fences. Ms. Kennedy stated that on the north side of the property the plan is to put in a row of trees. Mr. Need asked what the possibility would be of moving the fence to the south and putting in evergreens. Ms. Kennedy stated that they are not opposed to this; however, the homeowner has requested that a fence be installed. Ms. Kennedy also said that they would like to be responsible for the upkeep of the fence and any evergreens that will be planted. Ms. Kennedy also indicated that she believed that the homeowner would be opposed to moving the fence in more, due to the fact that he would lose more of his yard.

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

ITEM #4

There are no written approvals or objections in file.

Motion by Need

Supported by Kessler

MOVED, to table the request of Judy Kennedy, representing Gail Laabs, 38695 Dequindre for relief of Chapter 83 to erect a privacy fence until the next meeting of May 2, 2001.

- Would like to see if petitioner could put fence in with a 20' to 25' easement along the property line.
- Minimize the tunneling effect of privacy fences.
- To allow petitioner to design a plan which would have more landscaping.

Yeas: 4 – Dziurman, Kessler, Need, Zuazo

Nays: 1 – Sinclair

MOTION TO TABLE THE REQUEST OF JUDY KENNEDY OF GULF GLENWOOD LLC TO THE NEXT MEETING OF MAY 2, 2001 CARRIED

ITEM #5 (ITEM #3)

VARIANCE REQUESTED. ALCUIN C. ARCHE, JR., 2983 DASHWOOD, for relief of Chapter 83 to erect a privacy fence in a required front yard.

Petitioner is requesting relief of Chapter 83 to erect a privacy fence at 2983 Dashwood. This lot is a double front corner lot. Chapter 83 limits the height of fences to 30 inches in that portion of the property in front of the building setback line. The permit application submitted proposes a 4'-6" high privacy fence in the front yard setback along Dequindre.

This item was moved to the end of the agenda, Item #5, to allow the petitioner the opportunity to be present.

Mr. and Mrs. Arche and Mr. Michael Taylor were present. Mr. Taylor of Taylor Fence Company stated that the type of fence the petitioner wished to install was a lattice type of fence. Mrs. Arche stated that the reason they wanted the fence was for safety purposes. Mrs. Arche further stated that they live on a very busy corner and have found that 4-wheelers cut across the corner of their property to get to Dequindre and she is concerned due to the fact that they have a small child and would like him to have a safe environment to play in. Mrs. Arche also said that before they had purchased this property they had a discussion with Mr. Ron Hynd of the City and asked him if there would be restrictions on putting up a fence. Mrs. Arche said that Mr. Hynd indicated that there would not be a problem putting a fence in this area.

ITEM #5 (ITEM #3)

Mr. Zuazo asked if there was a home located on the north side of their home and Mrs. Arche stated that there was and that she had spoken to the neighbor and did not believe that he objected to the installation of this fence. Mr. Taylor stated that if there were an objection, they would be willing to move the fence farther back to accommodate the neighbor.

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

There are two written approvals on file. It was noted that the neighbor on the north side approved of the request, but also stated that he was concerned about visibility. Mr. Taylor brought out a sample of the fence they planned to use and showed that it was an open type of lattice fence.

There are no written objections on file.

Mr. Need asked if they planned to add more fencing at a future date and Mrs. Arche indicated that they did plan on more fencing at a later date, however, they were more concerned with the area right now. Mr. Arche also said that since their driveway is the first one off of Dequindre, he is concerned about safety because of the number of cars that use their driveway as a turn around.

Motion by Need
Supported by Sinclair

MOVED, to grant Alcuin C. Arche, Jr., 2983 Dashwood, relief of Chapter 83 to erect a 4'-6" high privacy fence in the required front yard.

- Variance will provide a measure of safety for their child.
- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

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

MS/pp