

A regular meeting of the Building Code Board of Appeals was called to order by the Chairman, Ted Dziurman on Wednesday, October 6, 1999 at 8:30 A.M.

PRESENT: Ted Dziurman  
Rick Kessler  
Kristine Gosine  
Bill Need  
Bill Nelson

### **APPROVAL OF MINUTES – SEPTEMBER 1, 1999**

Motion by Kessler  
Supported by Nelson

MOVED, to approve the September 1, 1999 minutes.

Yeas: All – 5

#### **ITEM #1 WRIGHT & FILLIPPIS, INC., 4352 GREENSBORO for relief of the 1996 BOCA National Building Code.**

Appellant is requesting relief of code Sections 1014.6.2, 1014.3 and 1005.6 to allow the installation of a power lift on an existing stairway that will allow the resident to access the lower level of the home.

Mr. Richard Knas, of Wright & Fillippis was present and stated that the lift would be a Butler wheel chair lift. The wheelchair would be placed on a platform and taken down to the lower level family room. This would give the owner's daughter the opportunity to join the rest of the family for gatherings. Mr. Knas stated that the stairway is not wide enough for other lifts and said that they would put up a gate on one side of the platform which would have to be moved and would therefore prevent a trip hazard.

Rick Kessler stated that the platform at the bottom of the stairs would cause an obstruction for people wanting to go down the hallway to the other rooms.

Mr. Dziurman asked if the platform would block access to the downstairs bedrooms.

Mrs. Karen Wolfe, 4352 Greensboro, was present and stated that they do not use these downstairs rooms as bedrooms. They use one as a computer room and the other as storage. She stated that her daughter, Carrie, was wheelchair bound and on a ventilator and this enables them to get her to the lower level in case of bad weather. She also stated that her daughter has 24 hour nursing care and there is someone with her at all times.

Rick Kessler asked if the home had smoke detectors. Mr. Knas stated that it did.

**ITEM #1**

The chairman opened the public hearing. No one wished to be heard and the public hearing was closed.

Motion by Need

Supported by Kessler

MOVED, to grant the request of Wright & Fillipis, 4352 Greensboro, relief of the Building Code to construct a wheelchair lift.

- This variance is not contrary to public interest.
- This variance applies to this property only.

Yeas: All – 5

MOTION TO APPROVE REQUEST CARRIED

**ITEM #2 MR. AND MRS. THOMAS PISCIPELLI, 452 BURTMAN, for relief of Chapter 83.**

Mr. and Mrs. Thomas Piscipelli are requesting relief of the 6-foot height restriction for fences located in the rear yard to allow the installation of an 8-foot high privacy fence.

The Chairman moved this request to the end of the meeting to give the petitioner the opportunity to be present.

**ITEM #3 MR. TIMOTHY J. KOWALEC, 2010 JEFFREY, for relief of Chapter 83.**

Appellant, Mr. Kowalec, is requesting relief of the 30-inch height restriction and the non-obscuring requirement to fences located in the front setback to allow the installation of a 6-foot high obscuring privacy fence in the setback along John R Road.

The Chairman moved this request to the end of the meeting to give the petitioner the opportunity to be present.

Motion by Kessler

Supported by Nelson

MOVED, to table both Items #2 and #3 to the next regularly scheduled meeting of November 3, 1999.

Yeas: All – 5

**ITEM #2**

There were several citizens present and asked the Chairman if they could be heard on Item #2. Mr. Dziurman explained that the board would be willing to listen to their objections, but would not act until the petitioner was present.

Mrs. Margaret Martin, 440 Burtman, was present and stated that she is the neighbor on the south property line. She felt that a 6' fence would be sufficient to contain Mr. and Mrs. Piscipelli's dog. She also stated that the lots are very small and an 8' fence would give her property a very closed in feeling. She also did not feel that the owners planned on staying in the home long term, and the resale of the property would be affected.

Mrs. Martin further stated that there are manufacturing plants in the area only have 6' high fences and there is a 6' high fence along Fourteen Mile.

Mrs. Martin objects to the 8' high privacy fence but had no objections to a 6' high privacy fence.

Mrs. Loretta Kaltz, 428 Burtman was present and stated that she objected to the 8' high fence.

Mrs. Alvina Mills, 451 Redwood, was present and stated that her backyard abuts to this property and stated that she objects to the 8' high fence.

At 8:40 A.M., the petitioner, Mr. Piscipelli, arrived at the meeting.

The Chairman removed the item off of the table.

Mr. Piscipelli stated that he has a young german shepherd and was concerned that the dog would jump a 6' fence with a running start. He was concerned about the dog getting out of the yard and creating a problem.

Mr. Dziurman stated that there are nine (9) written objections on file.

Mr. Piscipelli said he didn't want to upset his neighbors.

Motion by Need  
Supported by Nelson

MOVED, to deny the request of Mr. Thomas Piscipelli, 452 Burtman relief of Chapter 83 to construct an 8' high privacy fence.

- This variance is contrary to public interest.
- There is strong disapproval by the neighbors.

Yeas: All – 5

MOTION TO DENY REQUEST CARRIED

BUILDING CODE BOARD OF APPEALS

10-06-99

Motion by Kessler  
Supported by Neslon

MOVED TO TABLE THE REQUEST OF MR. TIMOTHY J. KOWALEC, 2010 JEFFREY,  
for relief of Chapter 83 until the next scheduled meeting, November 3, 1999.

Yeas: All - 5

MOTION TO TABLE CARRIED

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

RK:pr