

The June 3, 1998, regular meeting of the Building Code Board of Appeals was called to order at 8:35 a.m. by the chairman, Ted Dziurman.

PRESENT: Ted Dziurman  
Laurie Jahn  
Richard Kessler  
William Need

ABSENT: William Nelson

APPROVAL OF MINUTES: May 6, 1998

Motion by Need  
Supported by Jahn

MOVED, to approve the May 6, 1998 minutes.

Yeas: All 4  
Absent: 1- Nelson

MOTION TO APPROVE CARRIED

The petitioners for Item #1 and Item #2 were not present. The Board took Item #3 out of order.

ITEM #3 **Paul & Lara Goodes, 4856 Alton, for relief of Chapter 83-Fence Ordinance.**

Mr. Kessler explained that the appellant, Paul and Lara Goodes, is requesting relief of the 30 inch height restriction to fences located in the front yard to allow the installation of a 42 inch high non-obscuring fence in the front setback along Alton Court.

Mr. and Mrs. Goodes were present. The petitioners stated that they are requesting approval to install a split rail fence with grading. They propose to locate the fence 2 feet from the sidewalk. The proposed installation will not obstruct the view of road traffic, sidewalks or driveways. They have a corner lot, a large dog, and small children.

The chairman opened the public hearing.

Gary Chamberlain, 4850 Alton, did not object to the variance, but would like to see the fence placed at a 4 foot distance from the sidewalk. Mr. & Mrs. Goodes stated that they had no problem with the 4 foot setback from the sidewalk.

Janet Chamberlain, 4850 Alton, did not object to the variance, but would like to see a taller fence, preferably a 48 inch. Mrs. Chamberlain stated, considering the size of the dog, she feels the dog could reach over the fence. This could be a danger to people using the sidewalk. Mr. & Mrs. Goodes stated they had no problem with a 48 inch fence. The Board explained that to change the height of the fence would require a new public hearing.

There were no further comments and the public hearing was closed.

ITEM #3

There were 6 written approvals on file.

Motion by Need  
Supported by Jahn

MOVED, to grant Paul & Laura Goodes, 4856 Alton, a variance to install a 42 inch split rail fence, with the following condition:

1. The fence is to be installed 4 foot inside the sidewalk along Alton Ct.

Yeas: All 4  
Absent: 1- Nelson

MOTION TO APPROVE REQUEST, AT STIPULATED, CARRIED.

ITEM #1 **Midwest Fiberglass Pool on behalf of Ronald C. & Teresa L. Wiand, 2379 Belmont for relief of the B.O.C.A. Building Code.**

Ronald & Teresa Wiand were present.. The petitioners stated that it would be extremely difficult to construct a pool in their rear yard. There is an easement across the yard and a steep berm. The installation of a pool would be cost prohibitive.

The chairman opened the public hearing.

Dan MacLeish was present, representing the Beach Forest Architectural Control Committee, and stated he did not object to the request. Mr. MacLeish stated that he would have to take the proposal to the committee and felt that the pool should be screened by plantings. He felt there would be no problems with approval.

Mr. Wiand stated he had no problems with screening the pool.

There were no further comments and the public hearing was closed.

There was 1 written approval on file.

Motion by Need  
Supported by Kessler

MOVED, to grant Ronald C. & Teresa L. Wiand, 2379 Belmont, a variance, as requested, for relief to construct a 14' x 30' in their side yard with the condition that the pool be screened.

Yeas: All 4  
Absent: 1- Nelson

ITEM #1

MOTION TO APPROVE REQUEST CARRIED.

ITEM #4 **Robert J. Courtois, 6821 Serenity Dr., for relief of Chapter 83-Fence Ordinance.**

Mr. Kessler explained that the appellant is requesting relief of the 30 inch height restriction to fences located in the front yard to allow the installation of a 4 foot high obscuring wood fence in the front setback along Oakland Drive.

Mr. Courtois was present and stated that the proposed fence was for a dog run for his two small dogs. Mr. Courtois stated that the dog run is to protect his dogs from larger dogs. The plan is to keep more of his rear yard open for the children to play.

Mr. Need questioned screening the fence, from Oakland, with landscape plantings. Mr. Courtois was not sure what he would do to screen the fence from Oakland.

Mr. Kessler questioned moving the fence further back from Oakland. Mr. Courtois stated he did not feel it would give him the size dog run he needed and going further into his yard would cut down on his rear yard area.

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

There was 1 written approval and 2 written objections on file.

Motion by Need  
Supported by Kessler

MOVED, to table the request of Robert J. Courtois, 6821 Serenity, until the next regular meeting to allow the petitioner the opportunity to submit a landscape plan of how he proposes to screen the fence from Oakland.

Yeas: All 4  
Absent: 1- Nelson

MOTION TO TABLE REQUEST CARRIED

ITEM #2 **David H. & Sharon K. Bretz, 4133 Renee, for relief of Chapter 83-Fence Ordinance.**

The petitioner was not present.

Motion by Need  
Supported by Kessler

MOVED, to table the request of David H. & Sharon K. Bertz, 4133 Renee, for relief of Chapter 83 (Fence Ordinance) until the next regular meeting to give the petitioner the opportunity to be present.

ITEM #2

Yeas: All 4  
Absent: 1- Nelson

MOTION TO TABLE REQUEST UNTIL NEXT REGULAR MEETING (JULY 1, 1998) CARRIED

Letter from Roy & Caroline Johnson, 2841 Amberly regarding fence variance granted at the April 7, 1998 meeting.

The Board discussed the letter and Mr. Kessler explained that because the fence was higher than petitioned for and approved a new public hearing should be sent.

Motion by Need  
Supported by Jahn

MOVED, to re-hear the request of Roy and Caroline Johnson, 2841 Amberly, for relief of Chapter 83 (Fence Ordinance)

Yeas: All 4  
Absent: 1- Nelson

MOTION CARRIED

The Building Code Board of Appeals adjourned at 9:15 a.m.

RK/ddb