

A regular meeting of the Building Code Board of Appeals was called to order at 8:30 a.m. on Wednesday, August 5, 1998 by the chairman, Ted Dziurman.

PRESENT: Rita Bartz
Ted Dziurman
Richard Kessler
William Need
David Roberts

APPROVAL OF MINUTES July 1, 1998 minutes

Motion by Need
Supported by Kessler

MOVED, to approve the July 1, 1998 minutes.

Yeas: All 5

MOTION CARRIED

Motion by Roberts
Supported by Bartz

MOVED, to remove Item #1 from tabling action.

Yeas: All 5

MOTION CARRIED

**ITEM #1 ROBERT J. COURTOIS, 6821 SERENITY, FOR RELIEF OF CHAPTER
83 (FENCE ORDINANCE)**

Mr. Dziurman explained that this request was heard at the June 3, 1998 meeting and was tabled until the July 1, 1998 meeting to give the petitioner the opportunity to submit a landscape plan as to how he proposes to screen the fence from Oakwood. The petitioner did not appear at the July 1, 1998 meeting and is not present for this meeting. The Building Department has not heard from the petitioner.

Motion by Need
Supported by Kessler

MOVED, to deny the request of Robert J. Courtois, 6821 Serenity, for relief of the Fence Ordinance to construct a 4 foot high obscuring wood fence within the required setback from Oakwood:

ITEM #1

1. The petitioner has failed to show an interest in this matter.

Yeas: All 5

MOTION TO DENY REQUEST CARRIED

**ITEM #2 JULIA A. WORK, 2975 CEDAR RIDGE, FOR RELIEF OF CHAPTER 83
(FENCE ORDINANCE)**

Mr. Kessler explained that the petitioner is requesting relief of Chapter 83, the Fence Ordinance to erect a 6 foot high obscuring fence. The plot plan shows the proposed fence would be constructed along the north and west property lines. The fence constructed along the north property line, bordering to Big Beaver, which is in the required setback from Big Beaver, is limited to 30 inches. The petitioner is seeking relief to construct a 6 foot high fence.

Marjorie & Richard Simony, 3435 Roxbury were present. Mrs. Simony stated that she has been in contact with the subdivision architectural committee. Mrs. Simony was present since the spokesperson from the committee could not be at the meeting. The committee was not aware that the proposed fence did not comply with the City ordinance when it was presented to them and now have concerns.

Mrs. Work stated that she was not aware there was a problem with the proposal, she did seek subdivision approval out of good faith and received their approval. When she presented the fence application to the City, she found that she would have to receive an approval from the Board to erect the proposed fence. Mrs. Work stated that she felt these were two different issues. Mrs. Work stated that there were already several arborvitae planted to provide screening and more would be planted. The proposed fence would be approximately 75 feet from Big Beaver Road. Mrs. Work noted that she has also received approval from the City of Troy Parks and Recreation Department to allow a fence in the easement.

The Simonys' and Mrs. Work discussed the fence proposal, the contacts with the architectural committee, that the fence would not be a stockade and would be finished on both sides, and that evergreen screenings were proposed to soften the effect of the fence. Mr. Simony stated he still did not see the need for the 6 foot height.

There were 3 written approvals and 2 objections on file in addition to the letter from the architectural committee.

Motion by Need
Supported by Kessler

ITEM #2

MOVED, to grant Julia A. Work, 2975 Cedar Ridge, relief of the Fence Ordinance to construct a 6 foot high fence, as proposed, bordering Big Beaver:

1. The petitioner has cooperated with the subdivision architectural committee and will adhere to the points outlined in their July 15, 1998 letter.
2. The 6 foot fence will taper down for a minimum distance of 16 feet to the existing split rail fence.

Yeas: All 5

MOTION TO APPROVE, AS STIPULATED, CARRIED

The Building Code Board of Appeals Meeting Adjourned at 9:40 a.m.

RK/ddb