

A regular meeting of the Building Code Board of Appeals was called to order at 8:40 a.m. on Wednesday, July 2, 1997 by Ted Dziurman, Chairman.

PRESENT: Michael Culpepper
Ted Dziurman
Richard Kessler
William Nelson
Ghazanfar Shah

APPROVAL OF MINUTES: June 4, 1997 and June 18, 1997

Motion by Culpepper
Supported by Nelson

MOVED, to approve the June 4, 1997 and June 18, 1997 minutes.

Yeas: All 5

MOTION TO APPROVE CARRIED

ITEM #1 Village Green Construction, L.L.C., 2659-2751 Butterfield and 2775-2864 Butterfield, for relief of Chapter 83-Fence Ordinance

Mr. Kessler explained that the appellant, Village Green Construction LLC representative, Bradley E. Froling, is requesting the following:

1. Relief of the Fence Ordinance to place a 4 foot high, non-obscuring decorative aluminum fence along Butterfield. The Fence Ordinance limits fences in this required front yard setback to 30 inches high.
2. Relief of the Fence Ordinance to place a 4 foot non-obscuring decorative aluminum fence for a distance of 18 feet and a 4 foot high obscuring wood picket style fence in the remaining front setback along the east property line. The Fence Ordinance limits fences in this required front yard setback to 30 inches high.
3. Requesting permission to install an in-ground pool in the side yard. Section 421.4 of the 1993 BOCA Building Code requires swimming pools to be located in the rear yard.
4. Relief of the Fence Ordinance to place a 4 foot high, non-obscuring decorative aluminum fence around the pool. The Fence Ordinance limits fences in this required front yard setback to 30 inches high.

Jeffrey Froling was present to represent Village Green Construction. Mr. Froling stated that the fencing proposed was to maintain the high standards of the Regents Park development. The fencing along the east property line was requested by the adjacent property owner to provide safety and deter children from the adjacent church from entering the site and the detention pond area. The fence proposed along Butterfield is for pedestrian safety. A minimum of a 4 foot high fence is required around swimming pool areas. Because of the layout of the units in the complex, the pool is actually in the rear yard of the club house.

The chairman opened the public hearing.

Jack and Arlene Cammeron, 1800 Butterfield were present and had no objections, noting that they were mainly for informational purposes.

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

There were 2 approvals on file.

Motion by Culpepper
Supported by Nelson

MOVED, to grant Village Green, L. L. C., 2659-2751 Butterfield and 2775-2864 Butterfield, a variance, as requested for relief of the Fence Ordinance and 1993 B.O.C.A. Building Code to: (1) Construct a 4 foot high non-obscuring wrought iron fence along Butterfield (2) Construct a 4 foot high non-obscuring decorative aluminum fence and a 4 foot high wood picket style fence along the east property line. (3) Construct an in-ground swimming in a side yard. (4) Construct a 4 foot high fence around the swimming pool.

Yeas: All 5

MOTION TO APPROVE REQUEST CARRIED

The Building Code Board of Appeals adjourned at 8:55 a.m.

RK/ddb