A regular meeting of the Building Code Board of Appeals was called to order at 8:32 a.m. on Wednesday, June 5, 1996 by the Chairman, Ted Dziurman.

PRESENT: Michael Culpepper (arrived 8:50 a.m.)
Ted Dziurman
William Nelson
Dr. Ghazanfar Ali Shah
Mark Stimac

RECEIVED
JUN 17 1996
CITY OF TROY
CITY MANAGER'S OFFICE

Approval of Minutes, May 1, 1996 meeting.

Motion by Nelson
Supported by Stimac

MOVED, to approve the May 1, 1996 minutes.

Yeas: 4
Absent: 1 - Culpepper

MOTION TO APPROVE CARRIED

ITEM #1 Arrow Fence on behalf of Christopher & Cynthia Osterling, 2275 Brinston, for relief of Chapter 83 (Fence Ordinance).

Mr. Stimac explained that the petitioners' property is located at the north side of Brinston Avenue, at the point where the street turns north. This lot is, by definition, a double front corner lot. The petitioners propose to install a 4 foot high wood picket fence within 10 feet of the south property line. Chapter 83 of the Troy City Code limits fences in the front yard to no more than 30 inches high.

Christopher and Cynthia Osterling were present and stated that they proposed to construct the fence so they would have full use of their rear yard and contain their baby and puppy.

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

There were 3 approvals on file.

Motion by Stimac
Supported by Nelson

MOVED, to grant Christopher and Cynthia Osterling, 2275 Brinston, a variance to install a 4 foot high spaced picket fence no closer than 15 feet to the south property line.

Yeas: 4
Absent: 1 - Culpepper

MOTION TO APPROVE REQUEST CARRIED.

ITEM #2 David A. Whitmer, 105 Forthton, for relief of Chapter 83 (Fence Ordinance).

Mr. Stimac explained that the petitioner's property is located on the south side of Forthton. He proposes to install a 4 foot high chain link fence along the entire west property line. A portion of the fence will be located within the front yard. Chapter 83 limits the height of fences in the front yard to 30 inches tall.

David Whitmer was present and stated that there is large accumulation of trash and debris on the property adjacent to him and they sometimes drive onto his property to turn around. Mr. Whitmer stated that he wants the fence to stop the debris from blowing onto his property.

The chairman opened the public hearing.

Zena Marcucci, 93 Forthton, was present and objected to the fence, stating fences become eyesores and it is very unsightly to see fences with debris blown up against them.

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

ITEM #2

There were 5 approvals on file.

Motion by Stimac
Supported by Shah

MOVED, to deny the request of David A. Whitmer, 105 Forthton, for relief to construct a 4 foot high chain link fence along the west property line out to the front lot line. The fencing allowed by the ordinance will equally take care of the situation he has.

Yeas: 4
Absent: 1 - Culpepper

MOTION TO DENY REQUEST CARRIED

ITEM #3 Raymond N. Emming, 6256 Elmoor, for relief of Chapter 83 (Fence Ordinance).

Mr. Stimac explained that petitioner's property is located on the southeast corner of Elmoor and Troyvalley and is a double front corner lot. The petitioner proposes to install a 4 foot high split rail fence in the front yard adjacent to Troyvalley. Chapter 83 limits the height of fences in front yards to a 30 inch maximum height.

Mr. Emming was present and stated that he proposed to replace the existing fence along Troyvalley, which was constructed prior to houses being built on Troyvalley. There will be a greenbelt area in front of the fence with plantings. The split rail fence proposed will match his existing split rail fence.

The chairman opened the public hearing. There were no comments and the public hearing was closed.

Motion by Stimac
Supported by Nelson

MOVED, to grant Raymond N. Emming, 6256 Elmoor, a variance, as requested, to replace an existing fence with a 4' high split rail fence with wire in the front yard adjacent to Troyvalley.

Yeas All 5

MOTION TO APPROVE REQUEST CARRIED

MS/ddb

The Building Code Board of Appeals adjourned at 9:05 a.m.

MS