

A regular meeting of the Building Code Board of Appeals was called to order at 8:30 a.m. on Wednesday, July 5, 1995 by the Chairman, Ted Dziurman.

PRESENT: Ted Dziurman
Tim Richnak
Dave Roberts
Mark Stimac

ABSENT: Kulsum Rashid

APPROVAL OF MINUTES - June 7, 1995 meeting

Motion by Dziurman
Supported by Stimac

MOVED to approve the June 7, 1995 minutes as written.

Yeas: Dziurman, Richnak, Roberts, Stimac
Absent: Rashid

MOTION TO APPROVE CARRIED

ITEM #1 Scott & Gayle Pemberton, 2386 Topaz, for relief of Chapter 83, Fence Ordinance.

Mr. Stimac explained that the petitioners property is located at the southwest corner of Topaz and Patterson. The lot, by definition, is a double front corner lot. The petitioner proposed to install a 4 foot high non-obscuring wood fence in the front yard adjacent to Patterson. Chapter 83 limits fences in this location to 30 inches in height. This request was tabled at the last regular meeting to give the petitioner the opportunity to submit an alternate plan on the fence location

Scott Pemberton was present and submitted a new plot plan, to the Board, showing the fence location 8 feet inside the sidewalk. Mr. Pemberton stated that he desires to keep as much of the rear yard as possible, indicating he feels the new proposal responds to the concerns of the adjacent property owners. The Board discussed, with Mr. Pemberton, alternatives to make the fence less visible.

Motion by Stimac
Supported by Richnak

MOVED, to grant Scott & Gayle Pemberton, 2386 Topaz, a variance of Chapter 83 (Fence Ordinance) to allow a 4 foot high, spaced, picket fence no closer than 12 feet to the property line along Patterson.

Yeas: Richnak, Roberts, Dziurman, Stimac
Absent: Rashid

MOTION TO APPROVE, AS MODIFIED, CARRIED.

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ITEM #2 Huan T. Nguyen, 2018 Brinston, for relief of Chapter 83,
Fence Ordinance.

Mr. Stimac explained that the petitioner's property is located on the southeast corner of Brinston and John R. Since there is another parcel within the same block which fronts on John R., this lot is considered to be a double front corner lot. The previous property owner received relief from this Board in January to locate a 6 foot high fence within the front yard adjacent to John R. The petitioner is requesting approval to move the fence to the property line in order to align with other fences located to the south.

Huan T. Nguyen was present and stated that he was requesting permission to move his fence out to give him additional rear yard area, cut down the noise from John R., give additional protection from John R. for his family. Mr. Nguyen also noted that the relocation of his fence would be in line with the existing fences to the south of his property.

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

Motion by Stimac
Supported by Richnak

MOVED, to grant Huan T. Nguyen, 2018 Brinston, a variance, as requested, to relocate his fence to be in line with existing fences to the south.

Yeas: Stimac, Richnak, Roberts, Dziurman
Absent: Rashid

MOTION TO APPROVE CARRIED

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

MS/ddb

