

A regular meeting of the Building Code Board of Appeals was called to order at 8:30 a.m. on Wednesday, May 3, 1995 by acting chairman, Michael Culpepper.

PRESENT: Michael Culpepper  
William Nelson  
Kulsum Rashid  
Mark Stimac

ABSENT: Ted Dziurman

APPROVAL OF MINUTES - April 5, 1995

Motion by Nelson  
Supported by Rashid

MOVED, to approve the April 5, 1995 minutes.

Yeas: All 4  
Absent: Dziurman

MOTION TO APPROVE CARRIED

Item taken out of order.

ITEM #3 Romeo Simovski, 2052 Newburgh, for relief of Chapter 83  
(Fence Ordinance)

Mr. Stimac explained that the petitioners property is at the east end of Newburgh Drive. Because of the shape of the lot, the west property line extends out much further north than the east line. In addition, the west property line abuts a portion of Larchwood street extending from John R. which has not been vacated. The petitioner proposes to install a 6 foot high wood fence along this entire west property line. Chapter 83 (the Fence Ordinance) limits fences to a maximum of 30 inches when located in the front yard.

Mr. Simovski was present and stated that the fence is basically to stop children on bikes from cutting across the lot because of the odd shape and location of the lot. Also the fence will keep their children from John R. since there is a portion of the street that is open to John R.

The chairman opened the public hearing, there were no comments from the audience and the chairman closed the public hearing.

There were 2 written approval on file.

Motion by Rashid  
Supported by Nelson

MOVED, to grant Romeo Simovski, 2052 Newburgh, a variance as requested for relief to construct a 6 foot high wood fence along the entire west property line;

1. The fence will provide protection for the children.
2. Larchwood may be vacated in the future.

Yeas: All 4  
Absent: Dziurman

MOTION TO APPROVE REQUEST CARRIED.

ITEM #1 Louis Simmet, . 4101 Marywood, for relief of Chapter 83  
(Fence Ordinance)

Mr. Stimac explained that the petitioners property is located on the west side of Marywood and also has a property line along John R. The petitioner is proposing to replace an existing 4 foot high chain link fence with a 6 foot high wood fence. Since the non-residential property located immediately south of the petitioners property fronts onto John R. This yard adjacent to John R. is considered to be a front yard Chapter 83 of the Troy City Code (the Fence Ordinance) limits fences in the front yard to a maximum of 30 inches.

DH

MAY 3, 1995

## ITEM #1

Mr. Simmet was present and stated that the wood fence was constructed before he was aware a permit was required and that there were height restrictions. The fence is consistent with others along John R. and other properties that back up to a major street. They have two dogs and a 30" high fence would not contain the dogs. Mr. Simmet also noted that he planned plantings along the fence to soften the view of the fence.

The chairman opened the public hearing, no one wished to be heard and the chairman closed the public hearing.

Motion by Nelson  
Supported by Rashid

MOVED, to grant Louis Simmet, 4101 Marywood, a variance, as requested, for relief to construct a 6 foot high wood fence along the rear property line parallel to John R.

Yeas: All 4  
Absent: Dziurman

MOTION TO APPROVE REQUEST CARRIED.

ITEM #2 Howard Lillo, 1832 Milverton, for relief of Chapter 83  
(Fence Ordinance)

Mr. Stimac explained that the petitioners property is located on the southeast corner of Milverton and Taylor. This property has a common rear yard relationship with the property to the east. Therefore, Chapter 83 (the Fence Ordinance) of the City Code would limit fences in the yard adjacent to Taylor Drive to 4 foot high non-obscuring type fences. The petitioner is asking permission to replace an existing 6 foot high wood fence. Mr. Stimac further explained that the petitioner had previously informed the Board he would not be able to attend the meeting but had provided pictures of the fence for the Board.

The chairman opened the public hearing, no one wished to be heard and the chairman closed the public hearing.

There were 6 written approvals on file.

Motion by Stimac  
Supported by Nelson

MOVED, to grant Howard Lillo, 1832 Milverton, a variance, as requested, for relief to replace a 6 foot high wood fence, replacing an existing 6 foot high wood fence, along the side lot line parallel to Taylor.

Yeas: All 4  
Absent: Dziurman

MOTION TO APPROVE CARRIED.

The Building Code Board of Appeals adjourned at 8:45 a.m.

MS/ddb

