

A regular meeting of the Building Code Board of Appeals was called to order at 8:34 a.m. on Wednesday, October 7, 1994 by the Chairman, Ted Dziurman.

PRESENT: Ted Dziurman
Mike Culpepper
Kulsum Rashid
William Nelson
Mark Stimac

APPROVAL OF MINUTES

Motion by Culpepper
Supported by Rashid

MOVED to approve the September 7, 1994 minutes.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO APPROVE CARRIED.

ITEM #1 Mark R. D'Orazio, 5165 Folkstone, for relief of Chapter 83, (Fence Ordinance).

Mr. Stimac explained the petitioner's property is located at the Northwest corner of the intersection of Harwich Drive and Folkstone. Since the rear yard has a common rear yard relationship with the lot behind, Chapter 83 (Fence Ordinance) would allow a 48" high non-obscuring fence to be placed within the yard adjacent to Folkstone. The petitioner is requesting relief to place a 5' high non-obscuring fence in this location.

Mark D'Orazio was present and explained he needed the fence to contain his dog. It is a Newfoundland and it is recommended that breed should not be tied. Placing the fence in this area would allow the dog to exit and enter through the garage.

The chairman opened the public hearing.

Dolores Barry was present and stated she wanted the fence kept at four feet. She believed the fence would detract from the appearance of the neighborhood and decrease property values.

Joan Hoff was present and stated she did not want the fence across from her house as it would detract from the appearance of the neighborhood.

Peggy Sage was present and concurred with the above reasons.

Mr. D'Orazio stated there are fences in existence at four corner houses in the neighborhood.

Mark Stimac suggested the fence be located on another part of the lot and Mr. D'Orazio said the dog would then be entering through the family room requiring his paws to be wiped in inclement weather. Also, it would detract from his view of the yard.

The chairman closed the public hearing.

There were three approvals on file: Frank P. Cheng, 5256 Hertford - Sharyn Schymick, 5299 Hertford - Stephen Tertel, 5171 Falmouth.

There were twelve objections on file: Dennis Chong, 5208 Hertford - Richard Vuylsteke, 5292 Hertford - Lester Davies, 5226 Hertford - Agnes Mecoli, 5226 Folkstone - Michael Barry, 5146 Folkstone - Jeffrey and Karen Hornyak, 5208 Folkstone - John Szyzkowski, 5183 Folkstone - Mary and Robert Pelliccia, 5141 Folkstone - L. Mazur, 5128 Folkstone - Joan Hoff, 252 Harwich - Mr. & Mrs. Sage, 270 Harwich - Steve Scott, 5123 Falmouth.

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ITEM #1

Motion by Stimac
Supported by Rashid

MOVED, to reject the request of Mark D'Orazio, 5165 Folkstone for relief to place a 5' high non-obscuring fence within the yard adjacent to Folkstone, based on the following:

1. The petitioner has other options available which will meet his need while complying with the ordinance and being less intrusive to the neighborhood.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO DENY REQUEST CARRIED.

ITEM #2 Carol L. Lapp, 2035 Prescott, for relief of the Fence Ordinance.

Mr. Stimac explained the petitioner's property is located on the West side of Prescott. Their property also has a property line on John R. Since there are other properties within the same block fronting on John R, the yard adjacent to John R is considered to be a front yard. The petitioner's propose to locate a 6' high wood fence in this yard adjacent to John R where Chapter 83 (Fence Ordinance) limits fences to 30" high.

Carol and John Lapp were present. Carol stated the fence was requested to protect children who might be present in the yard.

Ms Rashid questioned whether there was a possibility of locating the fence 10' in from the property line to provide space for screening of the fence from John R.

Mrs. Lapp stated doing so would result in a 10' back yard. Also, there are fences in existence in line with their requested fence.

The chairman opened the public hearing.

There were no comments.

The chairman closed the public hearing.

There were two letters of approval on file: Lisa Berschbach, 2094 Prescott - James Wallace, 2023 Prescott.

Motion by Rashid
Supported by Dziurman

MOVED, to grant Carol L. Lapp, 2035 Prescott, a variance to construct a 6' high wood fence adjacent to John R., based on the following:

1. The fence must be of the same type and be in line with the fence located on the property to the south.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO APPROVE REQUEST CARRIED.

The Building Code Board of Appeals adjourned at 9:00 a.m.

MS/jl


