

A regular meeting of the Building Code Board of Appeals was called to order at 8:30 a.m. on Wednesday, November 3, 1993 by the Chairman, Ted Dziurman.

PRESENT: Michael Culpepper
Ted Dziurman
James Halsey
Kulsum Rashid
Mark Stimac

APPROVAL OF MINUTES - OCTOBER 6, 1993

Motion by Culpepper
Supported by Rashid

MOVED, to approve the October 6, 1993 minutes.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO APPROVE CARRIED.

ITEM #1. Virgil C. Sawyer, 2215 E. Square Lake Road, for relief of Chapter 83 (Fence Ordinance).

Mr. Stimac explained that the petitioner is requesting permission to erect a 4 foot high split rail fence to enclose a horse riding ring. The proposed location of the fence is within the required front yard along Square Lake. Chapter 83 of the City Code limits fences within the front yard to a maximum height of 30 inches. The petitioner is requesting relief to locate this taller fence in a front yard location.

Virgil Sawyer was present and stated that the fence would be constructed 8 feet from the front lot line. The area to be fenced already has sand in place for the riding area. Although they have 7 acres, a fenced area could not be provided unless it was way to the rear of the property because of trees and an accessory building. Mr. Sawyer also stated that the fence was for the safety of his daughter when riding as a 30" high fence is too easy for the horse to jump.

Mr. Stimac questioned Mr. Sawyer on the depth of the fenced area, asking if it could be cut down in size. Mr. Sawyer indicated that he could probably cut the size some.

The chairman opened the public hearing.

There were no comments.

The chairman closed the public hearing

There were 2 objections on file: Roger McCurdy, 2193 Normandy and one which was unsigned.

Motion by Halsey
Supported by Rashid

MOVED, to grant Virgil Sawyer, 2221 E. Square Lake Road, a variance, as requested, to erect a 4' high split rail fence, in the front setback area, to enclose a horse riding ring:

1. There is no objection from the most affected neighbors, to the east and west.
2. The west property is screened by a row of vegetation

Yeas: 4
Nays: 1- Stimac
Absent: 0

MOTION TO APPROVE REQUEST CARRIED.

The Building Code Board of Appeals adjourned at 8:40 a.m.

MS/ddb

