Mr. Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on June 3, 2015 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Members Present:
Gary Abitheira
Brian Kischnick
Michael Morris
Andrew Schuster

Absent:
Theodore Dziurman, Chair

Support Staff Present:
Mitch Grusnick, Building Official/Code Inspector
Kathy L. Czarnecki, Recording Secretary

Also Present:
Attached and made a part hereof is the signature sheet of those present and signed in at this meeting.

2. APPROVAL OF MINUTES

Moved by: Morris
Support by: Schuster

RESOLVED, To approve the minutes of the May 6, 2015 Regular meeting as submitted.

Yes: All present (4)
Absent: Dziurman

MOTION CARRIED

3. HEARING OF CASES

A. **VARIANCE REQUEST, RANDY HUYCK OF ACTION FENCE, 1804 WOODGATE** – This property is a double front corner lot. As such it has a 25 foot required front setback along both Woodgate and Crestline. The petitioner is requesting a variance to install a 4 foot high non-obscuring chain link fence along the Crestline property line where City Code limits fences to 30 inches high. The variance request was an item on the May 6, 2015 meeting. The property owner requested to postpone the item to the June 3, 2015 meeting so concerns of neighbors could be addressed.

The property owner Tony Iacona proposed to locate the fence just past the deck, about 8 feet from the house and roughly 15 feet back from the sidewalk. He offered written confirmation from two neighbors stating their agreement with the proposed new location.

Mr. Abitheira opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Kischnick
Support by: Schuster

RESOLVED, To grant the variance to install the fence 8 feet out from the house line parallel to the sidewalk, for the following reason:

1. Due to the unique property and the undue hardship it is creating, the variance minimizes the impact and the neighbors are in support.

Yes: All present (4)
Absent: Dziurman

MOTION CARRIED

B. **VARIANCE REQUEST, DANIEL HEILEMAN OF HEILEMAN SIGNS, 1821 MAPLELAWN** – A variance to allow a 24.1 foot tall, 159 square foot ground sign to be set back 17 feet from the front property line. The Sign Code requires a 30 foot minimum setback for the proposed sign. The item was incorrectly publicized for the May 6, 2015. The request has been correctly publicized and scheduled for the June 3, 2015 meeting.

Mr. Grusnick reported the department received no written responses to the public hearing notices.

Mr. Abitheira opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Schuster
Support by: Morris

RESOLVED, To grant the variance as requested, for the following reason:

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 85.

Yes: All present (4)
Absent: Dziurman

MOTION CARRIED

C. **VARIANCE REQUEST, IHOR "IKE" KUCZER, 5397 CLOISTER** – This property is a double front corner lot. As such it has a 30 foot required front setback along both Cloister and Sweet. The petitioner is requesting a variance to install a 6 foot high privacy fence set back 10 feet from the Sweet property line where City Code limits fences to 30 inches high.

Mr. Grusnick reported the department received three written responses to the public hearing notices; two in support, one in opposition based on principal only.

Mr. Abitheira opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Kischnick
Support by: Abitheira

RESOLVED, To grant the variance as requested, for the following reasons:

1. For the public health, safety and welfare.
2. The property and community are not impacted.

Discussion on the motion on the floor.

Mr. Kischnick asked the record to reflect that screening and containment of the subject property should have been overseen at the Planning Commission level and that this variance should definitely be granted.

Vote on the motion on the floor.

Yes: All present (4)
Absent: Dziurman

MOTION CARRIED

D. **VARIANCE REQUEST, ERIC CURRY OF ASI SIGNAGE INNOVATIONS, TROY LIBRARY, 500-520 W BIG BEAVER** – A variance from the Sign Code to replace the existing Library ground sign with a 50 square foot ground sign. Chapter 85 limits the Civic Center campus to two signs.

Mr. Grusnick reported the department received no written responses to the public hearing notices.

Mr. Abitheira opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Schuster
Support by: Morris

RESOLVED, To grant the variance as requested provided the sign is located outside the required 25 foot corner clearance triangular area.

Yes: Abitheira, Morris, Schuster
Abstain: Kischnick
Absent: Dziurman

MOTION CARRIED

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS

Mr. Grusnick announced a new format in preparing Board minutes.

7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:30 p.m.

Respectfully submitted,

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Gary Abitheira, Acting Chair

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Kathy L. Czarnecki, Recording Secretary

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