Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on June 1, 2016 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Members Present
Theodore Dziurman, Chair
Gary Abitheira
Amanda Anderson
Brian Kischnick
Andrew Schuster

Support Staff Present:
Mitch Grusnick, Building Official/Code Inspector
Richard Kessler, Deputy Building Official/Plan Examiner, SAFEbuilt, Inc.
Joe Blair, Planning Department NEXT Assistant
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: Abitheira
Support by: Schuster

RESOLVED, To approve the minutes of the May 4, 2016 Regular meeting as submitted.

Yes: All present (5)

MOTION CARRIED

3. HEARING OF CASES

A. **VARIANCE REQUEST, LYNN PUNG AND JOHN TAYLOR, 6660 JOHN R** – This property is a double front setback corner lot. As such it has required front setbacks from both John R and Stirling. The petitioner is requesting a variance to install a 6 foot high obscuring fence in the Stirling front setback, where City Fence Code limits fences to non-obscuring 30 inches high.

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

The applicants Lynn Pung and John Taylor were present.

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

Moved by: Abitheira
Support by: Schuster

RESOLVED, To grant a variance to install a 6 foot high obscuring fence 10 feet off the Stirling property line and provide a 25 foot corner clearance requirement off the northeast corner of the property line, for the following reason:

1. The variance does not adversely affect properties in the immediate vicinity of the proposed fence.

Yes: All present (5)

MOTION CARRIED

B. **VARIANCE REQUEST, JOHN AND CYNTHIA CIAMPA, 2506 TOWNHILL** – This property is a double front setback corner lot. As such it has required front setbacks from both Townhill and Beach. The petitioner is requesting a variance to maintain a 6 foot high obscuring fence in the Beach front setback, where City Fence Code limits fences to non-obscuring 48 inches high. This fence was issued a permit by the City in error and the fence has been installed.

Mr. Grusnick reported the department received one response in support of the requested variance from the property owner directly behind the subject property.

Richard Kessler of SAFEbuilt Inc. was present to represent SAFEbuilt.

Chair Dziurman 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, based on the testimony and the hardship it would create given the fact the house is a legal non-conforming use.

Yes: All present (5)

MOTION CARRIED

C. **VARIANCE REQUEST, JAIME RODRIGUEZ, 2013 ALFRED** – This property is a double front setback corner lot. As such it has required front setbacks from both Alfred and John R. The petitioner is requesting a variance to install a 5 foot high non-obscuring fence in the John R front setback, where City Fence Code limits fences to 48 inches high.

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

The applicant Jaime Rodriquez was present.

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

Moved by: Schuster
Support by: Anderson

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 83.

Yes: All present (5)

MOTION CARRIED

D. **VARIANCE REQUEST, REBECCA TURNER, 4809 HUBBARD** – This property is a double front setback corner lot. As such it has required front setbacks from both Hubbard and Welling. The petitioner is requesting a variance to install a 6 foot high obscuring fence in the Welling front setback, where City Fence Code limits fences to non-obscuring 48 inches high.

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

The applicant Rebecca Turner was present.

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

Moved by: Abitheira
Support by: Schuster

RESOLVED, To grant the variance to install a 6 foot high obscuring fence at a minimum distance of 5 feet from the Welling property line, for the following reason:

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 83.

Yes: All present (5)

MOTION CARRIED

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS

Mr. Kischnick suggested it might be time to consider a change in Chapter 83 of the City Code and Charter as relates to corner lots and asked the Building Official to follow up with a report.

7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:50 p.m.

Respectfully submitted,

Theodore D Dziurman

Theodore Dziurman, Chair

Kathy L Czarnecki

Kathy L. Czarnecki, Recording Secretary

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BUILDING CODE BOARD OF APPEALS SIGN-IN SHEET

June 1, 2016

NAME (PLEASE PRINT)	*ADDRESS*
Lynn Pung	6660 John R Troy
John Taylor	6660 John R. - Troy
Jaime Rodriguez	2013 Alfred Dr, Troy
RICHARD KESSLER	2506 TOWNHILL, TROY