

Chair Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on November 7, 2018 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Members Present

Gary Abitheira
Teresa Brooks
Sande Frisen
Mark F. Miller, Acting City Manager
Andrew Schuster

Support Staff Present:

Mitch Grusnick, Building Official/Code Inspector
Allan Motzny, Assistant City Attorney
Paul Evans, Zoning & Compliance Specialist
Jackie Ferencz, Planning Department Administrative 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: Frisen
Support by: Miller

RESOLVED, To approve the minutes of the October 3, 2018 Regular meeting as submitted.

Yes: All present (5)

MOTION CARRIED

3. HEARING OF CASE

A. **VARIANCE REQUEST, JEFF AND AMY COOPER, 5700 PATTERSON** – This property is a double front setback corner lot. As such it has required front setbacks from both Patterson and Pilot. The petitioner is requesting a variance to install a 48 inch high obscuring fence in the Pilot front setback, where City Fence Code limits fences to non-obscuring 48 inches high.

Mr. Grusnick gave a review of the variance request. He reported the department received no written responses to the public hearing notices. Mr. Grusnick also displayed photographs of the existing fence.

The applicant Jeff and Amy Cooper were present. Mr. Cooper said they would like to install a new fence in the same location and at the same height. He said the only change would be the type of fence, an obscuring PVC fence redwood in color that requires no maintenance. Mr. Cooper said the fence would replace the existing fence that is in disrepair along the Pilot side and continue across the rear of the property in the same location where the original fence from years previous was removed by the abutting property owner.

There was discussion on:

- Layout of lots; rear to rear relationship between homes.
- Setbacks in relation to homes at time of construction and new Zoning Ordinance.
- Fence placement does not create vision obstruction of vehicles and pedestrians.
- Fence meets character of existing homes in neighborhood.

Chair Abitheira opened the floor for public comment.

There was no one present who wished to speak.

Chair Abitheira closed the floor for public comment.

Moved by: Frisen
 Support by: Miller

RESOLVED, To grant the variance request as submitted for a 48 inch high obscuring fence in the existing location along the Pilot front setback, for the following reason:

1. The fence is not detrimental to the intent of Chapter 83.

Yes: All present (5)

MOTION CARRIED

4. COMMUNICATIONS

5. PUBLIC COMMENT – None.

6. MISCELLANEOUS BUSINESS

A. **BUILDING CODE BOARD OF APPEALS 2019 MEETING SCHEDULE**

There was discussion on the proposed January and July meeting dates because of potential conflict with holidays.

Moved by: Miller
Support by: Abitheira

RESOLVED, To approve the Building Code Board of Appeals 2019 meeting dates as proposed with two changes; January 9 and July 10.

Yes: All present (5)

MOTION CARRIED

Mr. Miller exited the meeting at 3:19 p.m.

B. SIGN ORDINANCE UPDATES

Mr. Motzny introduced the newly adopted Sign Ordinance. His presentation addressed amendments relating to the following:

- Content neutrality.
- Consistency with the Zoning Ordinance.
- Size, type and location.
- Building Code Board of Appeals.
 - Criteria considerations for approval or denial.
 - Sample forms of motions to grant or deny.

A question and answer session followed.

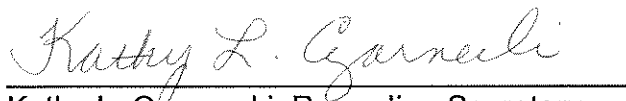
7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:56 p.m.

Respectfully submitted,



Gary Abitheira, Chair



Kathy L. Czarnecki, Recording Secretary