

Chair Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on March 6, 2019 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Members Present

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

Support Staff Present

- Mitch Grusnick, Building Official/Code Inspector
- David Koss, Housing and Zoning 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: Frisen
- Support by: Brooks

RESOLVED, To approve the minutes of the February 6, 2019 Regular meeting as submitted.

Yes: All present (5)

MOTION CARRIED

3. HEARING OF CASE

A. **VARIANCE REQUEST, SAMHAR AND HANAN KASHAT, 6810 BARABEAU DRIVE** – This property is a double front corner lot. As such the proposed fence cannot be placed in the 30 foot required front setback along either Barabeau or Cambria. The petitioner is requesting a variance to install a 6 foot high obscuring fence set back 10 feet from the Cambria property line where City Code limits fences to non-obscuring 30 inches high.

Mr. Grusnick gave a review of the variance request. He noted receipt of one email message asking for clarification of the request, to which he responded; otherwise, Mr. Grusnick said the department received no responses to the public hearing notices.

The applicant Samhar and Hanan Kashat said a fence would provide privacy and security for their children, one of whom is special needs.

There was discussion on:

- Lot size; relationship to abutting property, slope of property.
- Distance from lot line to house.
- Type of fence; height, material, applicant’s desire for obscuring.
- Location of fence in relation to property line, road, existing trees.
- Character of neighborhood as relates to existing fences.

Chair Abitheira opened the public hearing. Acknowledging there was no one present to speak, Chair Abitheira closed the public hearing.

Moved by: Brooks
Support by: Abitheira

RESOLVED, That the variance request for the subject property for relief of Chapter 83 to install a 6 foot high obscuring fence 10 feet back from the Cambria property line, be approved, for the following reasons:

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

Yes: Abitheira, Brooks, Miller, Schuster
No: Frisen

MOTION CARRIED

4. COMMUNICATIONS – None.
5. PUBLIC COMMENT – None.
6. MISCELLANEOUS BUSINESS – None.
7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:16 p.m.

Respectfully submitted,

Gary Abitheira, Chair

Kathy L. Czarnecki, Recording Secretary