

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,

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Gary Abitheira, Chair

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Kathy L. Czarnecki, Recording Secretary