

**BOARD OF BUILDING CODE APPEALS
CITY OF NORTH OLMSTED
MEETING MINUTES FOR OCTOBER 21, 2010**

ROLL CALL

The meeting was called to order at 5:35 p.m. in Council Chambers.

Present: Donna Sabo, Norman Althen, BJ Meder, Dan Jarachovic

Absent: Robert Lipcsey

Staff: Building Commissioner Dale Mitchell, Clerk of Commissions Donna Rote

REVIEW AND CORRECTION OF MINUTES

Mr. Meder moved, seconded by Mr. Althen, to approve the Board of Building Code Appeals minutes of August 12, 2010, which was approved 4-0.

OLD BUSINESS

Brittnay Trapp; 4097 Shelley Drive:

Proposal consists of fence installation. Request consists of a variance for a 65-foot section of fence to be installed along rear property line; applicant shows fencing along a property line where neighbor's fencing already exists, code does not permit, Section 1369.03(a)(3).

Mrs. Trapp said her contractor pulled the permit and talked to the neighbor about removing their split rail fence. The rear neighbor removed the split rails when the Trapp's fence was being constructed but three weeks after the fence was installed they put the split rail fence back. Mr. Jarachovic asked if there was a letter from the neighbors stating they would remove the split rail and Mrs. Trapp said she only spoke to the neighbor to let them know the fence company would be contacting them. Any conversation regarding removing the split rail fence was between the contractor and the neighbor. Mr. Meder asked if there was a gate along the back and Mrs. Trapp said there was a gate in the front and along the back corner of the fence so the area could be maintained. Mrs. Sabo asked the distance between the two fences; Mr. Trapp believed 7 feet.

Mr. Mitchell said the building department believed that the fence was to be removed and the rails were out when the fence was installed but when the final inspection was completed the rails were back in place. Mrs. Sabo asked if the building department required proof that an existing fence is being removed. Mr. Mitchell said no. He noted that there is a utility easement between the two homes which requires a 5 foot section remain outside the fence on both properties. Mrs. Sabo questioned when the fence was installed and Mrs. Trapp said it was installed early June. Mr. Meder asked if there had been any thought given to altering the definition of a split rail fence as it is a decorative structure and does not keep anything in or out of a yard. Mr. Meder asked who would be maintaining the space between the fences and Mr. Trapp said he would maintain the area. The contractor said the neighbors reinstalled the split rail because they received a new puppy. Mr. Althen asked if the matter could be tabled to have the contractor and neighbor present to give testimony. Mr. O'Malley said it was within the board's right to table the matter for additional information. Mr. Mitchell said that the fence company was reputable and they had

no reason to believe that the fence would not be removed therefore the permit was issued. Mrs. Sabo advised the applicant that the contractor and the rear neighbor would need to be at the next meeting. Board members asked for additional information pertaining to the gate and area between fences as well.

Mr. Meder moved, seconded by Mr. Jarachovic, to table the request from Brittney Trapp of 4097 Shelley Drive pending further information and testimony from the contractor and neighbor, which was approved 4-0.

Dineen Terstage; 24330 Elm Road:

Proposal consists of roof ventilation. Request consists of a variance for section 1305.01, 1305.02 (a), 1305.05 (b)(5), (residential code sections R806, R806.1, R806.2 and R806.3); applicant shows partial ventilation, code requires full ventilation, section 1305.01.

Mrs. Terstage said a permit was issued to install a roof and gutters on her home. On September 29, the contractor advised her that there was a question regarding the roof ventilation. She met with the building department to find out what was required for ventilations and has been studying the issue. Although she understands the current code and how it works for new construction, her home was built in the 1920's and is a craftsman style home with exposed rafters, a hip roof and has no soffit. There are currently two can vents on the roof and an additional one was to be added. The required ventilation is not possible on her home. Mr. Mitchell reviewed what is required to pull a permit for a new roof and soffits. Once the sizing was calculated it was determined that six cans are required for the roof however the owner only wants 3 roof cans. Mr. Althen reviewed placing cans on hip roofs and questioned if an attic vent could be installed in addition to the three cans. Mr. Mitchell said there are multiple products available to address the hip roof and effectively vent it. Mrs. Sabo asked if the applicant explored other options which are available. Ms. Terstage said she has research adding a solar attic fan possibly. Mr. Mitchell said solar panels are allowed if they meet code. If the proposed fan meets code there would be no need for a variance. Ms. Terstage said she would like to withdraw her request to work with the building department on a solution.

Mr. Althen moved, seconded by Mr. Meder to accept the withdrawal of Dineen Terstage of 24330 Elm Road, which was approved 4-0.

ADJOURNMENT

With no further business the meeting was adjourned at 6:25 p.m.

Donna Sabo, Chair

Donna Rote, Clerk of Commissions

Approved:
