

## **RESOLUTION TEMPLATE**

Moved by:

Seconded by:

**RESOLVED**, That the variance request for [applicant name, company, address or location] ,  
for relief of Chapter 85 (Chapter 83) to [request] ,

*Be granted for the following reasons:*

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 85 (Chapter 83); and
2. The variance does not adversely affect properties in the immediate vicinity of the proposed sign; and
3. The petitioner has a hardship or practical difficulty resulting from the unusual characteristics of the property that precludes reasonable use of the property.

*Be denied for the following reasons:*

1. The variance would be contrary to the public interest or general purpose and intent of Chapter 85 (Chapter 83); and
2. The variance would adversely affect properties in the immediate vicinity of the proposed sign; and
3. The petitioner has failed to demonstrate any hardship or practical difficulty because:
  - a) Reasonable use can be made of the property without the variance, and
  - b) Public health, safety and welfare would not be negatively affected in the absence of the variance, and
  - c) Conforming to the ordinance is not unnecessarily burdensome; and
  - d) There is no evidence of hardship or practical difficulties resulting from the unusual characteristics of the property because there is nothing unusual about the size, shape or configuration of the parcel that would make it unnecessarily burdensome to comply with the requirements of the sign (fence) ordinance.

*Be postponed / tabled for the following reasons:*

Yeas:

Nays:

**MOTION CARRIED / FAILED**





# BUILDING CODE BOARD OF APPEALS REGULAR MEETING AGENDA

500 W. Big Beaver  
Troy, MI 48084  
(248) 524-3344  
[www.troymi.gov](http://www.troymi.gov)  
[planning@troymi.gov](mailto:planning@troymi.gov)

Gary Abitheira, Chair, Teresa Brooks  
Sande Frisen, Mark F. Miller, Andrew Schuster

---

**January 8, 2020**

**3:00 PM**

**COUNCIL BOARD ROOM**

---

1. ROLL CALL
2. APPROVAL OF MINUTES – December 4, 2019
3. HEARING OF CASES
  - A. VARIANCE REQUEST, VLADIMIR KORCARI, 2904 THAMES - This property is a corner lot and a double front setback is required per Chapter 83 Section 2-A. As such, the proposed fence cannot be placed in the 25' required Thames Dr. front setback or the 25' required Dover Dr. Setback as defined for the R-1E Zoning. This corner lot does not have a common rear yard relationship with a lot in the same block. Therefore the only fence height allowed is that of a maximum height of 30". The petitioner is requesting a total of 106' 2" of 4' tall non-obscuring chain link fence plus a 6' long 4' tall chain link gate variance in the required Dover Drive setback.  
The petitioner was granted Building Permit PF 2019-0219 for a 6' PVC privacy fence that did not require a variance. However the permit was not closed since the 6' fence encroaches by 9" into the Dover Dr. setback. The petitioner must correct the encroachment.

## CHAPTER 83

4. COMMUNICATIONS
5. PUBLIC COMMENT
6. MISCELLANEOUS BUSINESS
7. ADJOURNMENT

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@troymi.gov](mailto:clerk@troymi.gov) or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.



Chair Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on December 4, 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

Absent:

Andrew Schuster

Support Staff Present

Salim Huerta, Building Official  
Lori Grigg Bluhm, City Attorney  
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF MINUTES

Ms. Czarnecki asked that the minutes reflect a correction to Mr. Huerta's name on page 6.

Moved by: Frisen

Support by: Miller

**RESOLVED**, To approve the minutes of the September 4, 2019 Regular meeting as revised.

Yes: All present (4)

Absent: Schuster

**MOTION CARRIED**

3. COMMUNICATIONS

a. Reconsideration of Vote on Appeal of Troy Outdoor, LLC and Crossroads LLC

Ms. Bluhm briefly reviewed her memorandum dated November 25, 2019 which was included in the Board's agenda packet. She announced the Plaintiff filed a Motion for Stay to prevent the Board from a reconsideration of the Vote on Appeal. Ms. Bluhm said the Motion for Stay was granted by the Judge at a hearing this morning and therefore the Board cannot entertain a reconsideration of the Vote on Appeal.

Ms. Bluhm addressed the appellate process and engagement of outside legal counsel to represent the City of Troy and the Board in the Appeal. She recommended Gregory Need of Adkison Need Allen & Rentrop PLLC as outside legal counsel for the Board.



A short discussion followed.

Moved by: Brooks

Support by: Miller

**RESOLVED**, That Gregory Need represent this Board as it relates to the Troy Outdoor LLC and Crossroads LLC Appeal.

Yes: All present (4)

Absent: Schuster

**MOTION CARRIED**

4. PUBLIC COMMENT – None

5. MISCELLANEOUS BUSINESS – Approval of 2020 Calendar

After discussion on proposed meeting dates for 2020, it was the consensus of the Board to revise meeting dates for the months of March, July and August.

Moved by: Frisen

Support by: Brooks

**RESOLVED**, To approve the 2020 calendar as proposed with three revisions; March 4, July 8 and August 12.

Yes: All present (4)

Absent: Schuster

**MOTION CARRIED**

Mr. Miller asked that the 2020 calendar be scheduled in Outlook for all members.

6. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:14 p.m.

Respectfully submitted,

---

Gary Abitheira, Chair

---

Kathy L. Czarnecki, Recording Secretary



**CITY OF TROY PLANNING DEPARTMENT  
BUILDING CODE BOARD OF APPEALS APPLICATION**

CITY OF TROY PLANNING DEPARTMENT  
500 W. BIG BEAVER ROAD  
TROY, MICHIGAN 48084  
PHONE: 248-524-3364  
E-MAIL: [planning@troymi.gov](mailto:planning@troymi.gov)



**FEE \$50**

**NOTICE TO THE APPLICANT**

REGULAR MEETINGS OF THE BUILDING CODE BOARD OF APPEALS ARE HELD ON THE FIRST WEDNESDAY OF EACH MONTH AT 3:00 P.M. AT CITY HALL.

PLEASE FILE A COMPLETE APPLICATION, TOGETHER WITH THE APPROPRIATE FEE, **NOT LESS THAN TWENTY-SEVEN (27) DAYS** BEFORE THE MEETING DATE.

COMPLETE APPLICATIONS ARE PLACED ON THE NEXT AVAILABLE AGENDA OF THE BUILDING CODE BOARD OF APPEALS.

1. ADDRESS OF THE SUBJECT PROPERTY: 2904 Thames Dr. Troy MI 48083  
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-25-228-001
3. CODE NAME (e.g. "BUILDING CODE", "SIGN CODE", "FENCE CODE") AND SECTION(S) RELATED TO THE APPEAL:  
Fence Code
4. REASONS FOR APPEAL/VARIANCE: *On a separate sheet, please describe the reasons justifying the requested action. See Submittal Checklist.*
5. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? YES ☒ NO ☐



6. APPLICANT INFORMATION:

NAME Vladimir Korcori  
COMPANY \_\_\_\_\_  
ADDRESS 2904 Thames Dr. Troy MI  
CITY Troy STATE MI ZIP 48083  
TELEPHONE 734-968-0355 - Ahmad's ph #  
E-MAIL goku008@gmail.com

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: \_\_\_\_\_

8. OWNER OF SUBJECT PROPERTY:

NAME Vladimir Korcori  
COMPANY \_\_\_\_\_  
ADDRESS 2904 Thames Dr.  
CITY Troy STATE MI ZIP 48083  
TELEPHONE \_\_\_\_\_  
E-MAIL \_\_\_\_\_

The undersigned hereby declare(s) under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto.

I, VLADIMIR KORCARI (PROPERTY OWNER), HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO CONDUCT A SITE VISIT TO ASCERTAIN PRESENT CONDITIONS

SIGNATURE OF APPLICANT Vladimir Korcori DATE 11-20-2019

PRINT NAME: VLADIMIR KORCARI

SIGNATURE OF PROPERTY OWNER Vladimir Korcori DATE 11-20-2019

PRINT NAME: VLADIMIR KORCARI

Failure of the applicant or his/her authorized representative to appear before the Board, as scheduled, shall be justifiable cause for denial or dismissal of the case with no refund of appeal fee(s). If the person appearing before the Board is not the applicant or property owner, signed permission must be presented to the Board.

The applicant will be notified of the time and date of the hearing by electronic mail.



11-19-19

## 4 foot Chain-Link fence Variance

Asking for variance to put up 4 foot Chain-link Fence on the side of the house, one foot away from sidewalk.

We have 2 year old and a 3 year old grand-kids, who we babysit frequently. We want to be able to give them a safe outdoor environment to play in. Having only been granted a permit for a 30 inch fence, does not give children a safe environment. Having only 2.5 foot fence puts the children at risk of a dog attack that could ~~not~~ easily jump 2.5 foot fence. There was already a tragedy on that block, where a pitbull attacked and killed a small dog that was being walked near-by. Also, being so close to the major road (Big Beaver) a 2.5 foot fence would not prevent a child from climbing over, and running off to the road. All we are asking for is a standard 4 foot chain-link fence, that dozens of houses in the same neighborhood already have on their corner lots. Its a major safety concern for small kids not having that protection.

Also we ~~thought~~ thought that our previous permit was approved for 4 foot chainlink fence, so we already had placed a contract order with



Loues for that fence to be intalled.

Our ~~initial~~ initial request for a 6 foot privacy fence was denied due to being an "eye sore" and limiting visibility for adjacent driveways. We understand that, and therefore request chain-link that does not obstruct any view and blends into the neighborhood look with many other corner houses having same setup.

Thank you.





PF2019-0219

# FENCE PERMIT APPLICATION

## CITY OF TROY

DEPARTMENT OF BUILDING INSPECTIONS  
500 W. BIG BEAVER ROAD  
TROY, MICHIGAN 48064  
Phone: 248-524-3344 Fax: 248-689-3120

Check #  
**RECEIVED**

OCT 23 2019

CITY OF TROY  
BUILDING DEPT.

FENCE

www.troymt.gov

Date: 10-23-19

Project Information	Job Address: <u>2904 THAMES</u> Suite # _____
	Lot: _____ Subdivision: _____
	Owner: <u>VLADAMIR KORLANI</u> Phone: <u>(734) 968 0355</u>
	Work to be Performed: <input checked="" type="checkbox"/> New <input type="checkbox"/> Move <input type="checkbox"/> Repair <input checked="" type="checkbox"/> Res. <input type="checkbox"/> Comm. <input type="checkbox"/> Ind.
Applicant Information	Name: <u>MATTHEW HODGE</u> Phone: <u>(586) 994-5010</u> Fax: _____
	Address: <u>1709 Saint Clair River Dr</u> City: <u>Algonac</u> State: <u>MI</u> Zip: <u>48001</u>
	Email: <u>Hodge - 87 @YMAIL.COM</u>

☐ Registration - \$10 (Due after 5/31 of each year)

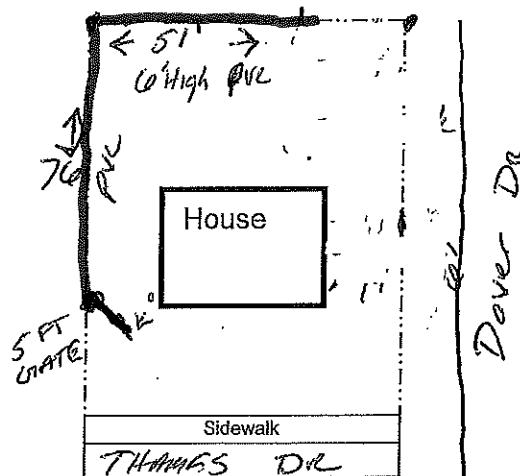
Final lot grade shall be approved before a fence permit is issued.

Please use the box below as if it were a drawing of your lot.

Draw in the proposed fencing using the symbols from the chart.

Indicate the number of feet for each portion of fence.

Type, height, and lineal feet of material to be used:					
Type:	Wood	Wire	Metal	Masonry	Other
Symbols:	000000	xxxxx		□□□□	7/16
HEIGHT					6 FT
NO. OF FEET					127
PERMIT FEE	<input type="checkbox"/> Under 300' \$15.00		<input type="checkbox"/> Over 300' \$25.00		



Interior Lot ☐

Corner Lot ☒

Building Department Approval

MS SH  
AVS (6' Privacy only)

Section 23a of the state construction code act of 1974, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subject to civil fines.

☐ Ready for Inspection ☐ Will Call

Applicant Signature

[Signature]  
Homeowner's signature indicates compliance with homeowner's affidavit

### Homeowner Affidavit

I hereby certify that the fencing described on this permit application shall be installed by myself in my own home in which I am living or about to occupy. All work shall be installed in accordance with the Chapter 83 of the Troy City Ordinance. I will cooperate with the Building Inspector and assume all responsibility to arrange for necessary inspections.

I CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT AND THAT I HAVE REVIEWED ALL DEED RESTRICTIONS WHICH MAY APPLY TO THIS CONSTRUCTION AND AM AWARE OF MY RESPONSIBILITY THEREUNDER.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ Notary Public, \_\_\_\_\_ County, Michigan

My commission expires \_\_\_\_\_



November 1, 2019

Matthew Hodge  
Hodge\_87@yahoo.com

RE: 2904 Thames

The fence application for the above address was reviewed and denied for the following reason:

Corner lot – The fence on the Dover side can only be 30" max because of the rear-to-side properties.

If you have any questions, please contact me at 248-524-3348 (office) or 248-918-1261 (cell).

Sincerely,

DANA SELF  
Deputy Building Official  
City of Troy/SAFEbuilt, Inc.

/bh



183

# "Yorkshire Subd'n"

PART OF THE N.E.1/4 OF SECTION 25, T2N., R11E.,  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

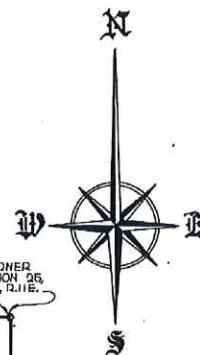
0 50 100 150 200 250 300

SCALE 1IN=100 FT.

All dimensions are in feet and decimals thereof  
All curvilinear dimensions are shown along the arc  
R denotes radial N.R. denotes not radial  
All easements are also for maintenance of surface drainage

sheet 1 of 2 sheets

MUNICIPAL CONSULTANT SERVICE  
CIVIL ENGINEERING AND SURVEYING  
HAZEL PARK, MICHIGAN



NORTH LINE OF SECTION 25  
S 89°44'45" E 1317.41'

N.E. CORNER  
OF SECTION 25,  
T2N., R11E.  
POINT OF BEGINNING

1/2 BIG BEAVER ROAD 75 FT. WD.

THAMES DRIVE 60 FT. WD.

DOVER DRIVE 60 FT. WD.

DOWNEY DRIVE 60 FT. WD.

BORDEN DRIVE 60 FT. WD.

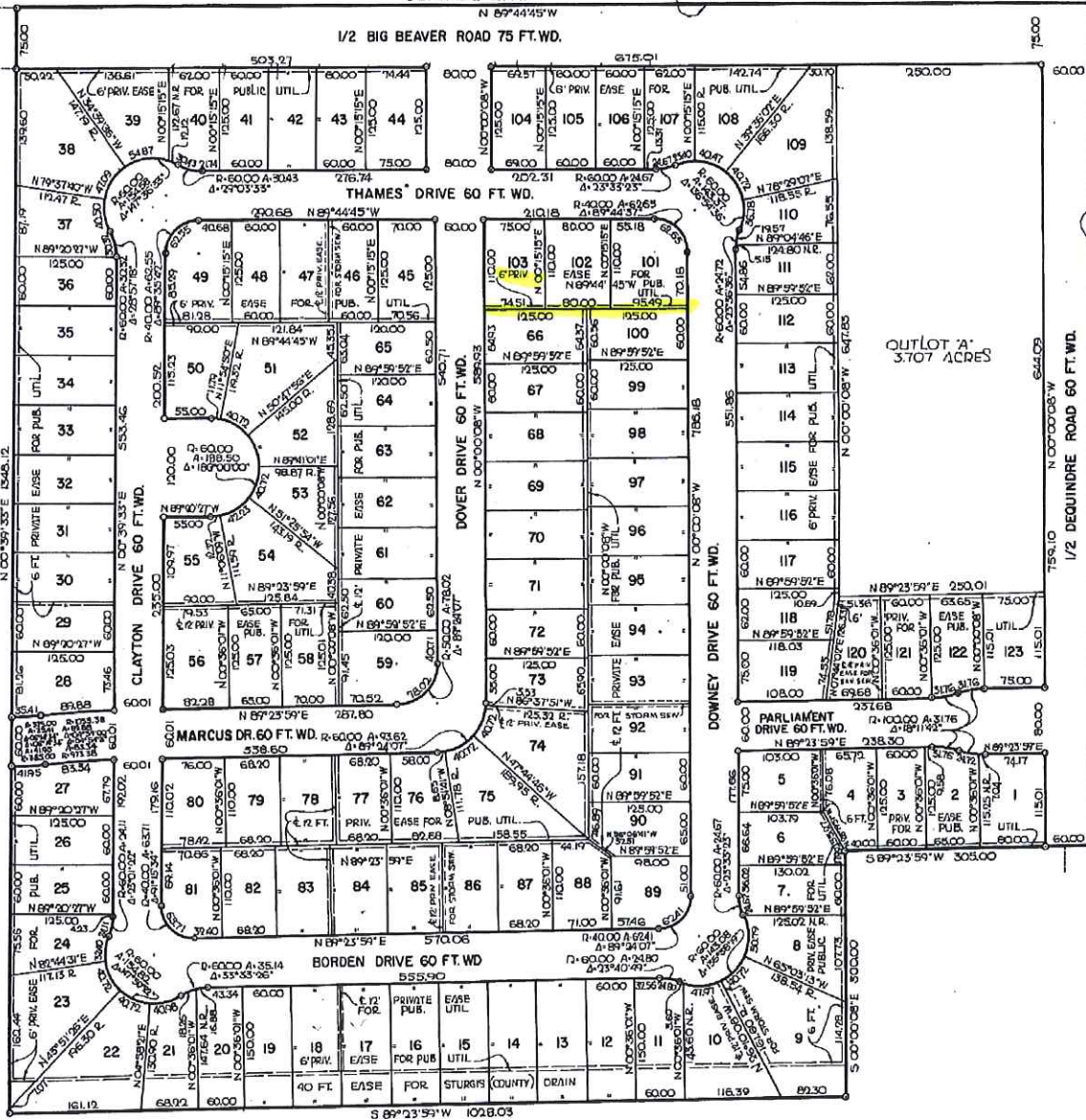
OUTLOT 'A'  
3.707 ACRES

1/2 DEQUINDRE ROAD 60 FT. WD.

EAST LINE OF SECTION 25

UNPLATTED

UNPLATTED





183

# "Yorkshire Subd'n"

PART OF THE N.E. 1/4 OF SECTION 25, T.2N., R.11E.,  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

0 50 100 150 200 250 300

SCALE 1 IN = 100 FT.

All dimensions are in feet and decimals thereof  
All easement dimensions are shown along the arc  
R denotes radial N.R. denotes not radial  
All easements are also for maintenance of surface drainage

sheet 2 of 2 sheets

MUNICIPAL CONSULTANT SERVICE  
CIVIL ENGINEERING AND SURVEYING  
HAZEL PARK, MICHIGAN

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that we, F. J. W. Corporation, a Michigan Corporation by Frank J. Winton, President, and Dorothy Schenkel, Secretary, as proprietor, and Manufacturers National Bank, a National Banking Association, by Louis G. Allen, Vice-President, and Maurice E. Williams, Cashier, as mortgagees, have caused the land embraced in the annexed plat to be surveyed, laid out and platted to be known as "YORKSHIRE SUBD'N." part of the N.E. 1/4 of Section 25, T.2N., R.11E., City of Troy, Oakland County, Michigan, and that the streets as shown on said plat are hereby dedicated to the use of the public, and that the private easements as shown on said plat are hereby reserved for the use of public utilities and/or for specific uses as noted thereon, and that no permanent structures are to be erected within the lines of said easements.

## Witnesses:

Louis Hechtman  
LOUIS HECHTMAN  
Renée Tennor  
RENEE TENNOR

F. J. W. Corporation  
15101 W. Eight Mile Road  
Detroit, Michigan

By Frank J. Winton  
Frank J. Winton, President  
Dorothy Schenkel  
Dorothy Schenkel, Secretary

Manufacturers National Bank  
151 W. Fort Street  
Detroit, Michigan

By Louis G. Allen  
Louis G. Allen, Vice-Pres.  
Maurice E. Williams  
Maurice E. Williams, Cashier

Daniel E. MacDougall  
DANIEL E. MAC DOUGALL  
Judith Ann Deuel  
JUDITH ANN DEUEL

## DESCRIPTION

The land embraced in the annexed plat of "YORKSHIRE SUBD'N." part of the N.E. 1/4 of Section 25, T.2N., R.11E., City of Troy, Oakland County, Michigan, comprises lots 1 thru 123, both inclusive, Outlot "A", and is described as follows: Beginning at the W.E. Corner of Section 25, T.2N., R.11E.; thence along the East line of said Section 25 S 00°00'08" E 1028.22 ft.; thence S 89°23'59" W 305.00 ft.; thence S 00°00'08" E 300.00 ft.; thence S 89°23'59" W 1028.03 ft.; thence N 00°39'33" E 1348.12 ft.; thence along the North line of Section 25 S 89°44'45" E 1317.41 ft. to the point of beginning.

## CERTIFICATE OF MUNICIPAL APPROVAL

I hereby certify that this plat has been approved by the City Council of the City of Troy at a meeting held August 2, 1965, and is in compliance with Section 19a and that the widths of lots conform with the requirements of Section 30, Act 172 of Public Acts of 1929, as amended, and that adequate security has been deposited with the municipality to ensure the installation of public sanitary sewer and water facilities within the plat.

J. Lawson Lockhart  
J. Lawson Lockhart, City Clerk

## ACKNOWLEDGMENTS

STATE OF MICHIGAN) ss.  
County of Oakland)

On this 17th day of June, 1965, before me, a Notary Public in and for said County, appeared Frank J. Winton and Dorothy Schenkel, to me personally known, who being each by me duly sworn, did say that they are the President and Secretary, respectively, of F. J. W. Corporation, a Michigan Corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors, and the said Frank J. Winton and Dorothy Schenkel acknowledged said instrument to be the free act and deed of said corporation.

My Commission expires  
RICHARD D. SCOTT  
Notary Public, Oakland County, Mich.  
My Commission Expires April 26, 1968

Richard D. Scott  
RICHARD D. SCOTT  
Notary Public, Oakland County

STATE OF MICHIGAN) ss.  
County of Oakland)

On this 17th day of June, 1965, before me, a Notary Public in and for said County appeared Louis G. Allen and Maurice E. Williams, to me personally known, who being each by me duly sworn, did say that they are the Vice President and Cashier, respectively, of Manufacturers National Bank, a National Banking Association, and that said instrument was signed in behalf of said association by authority of its Board of Directors, and the said Louis G. Allen and Maurice E. Williams acknowledged said instrument to be the free act and deed of said association.

My Commission expires  
RICHARD D. SCOTT  
Notary Public, Oakland County, Mich.  
My Commission Expires April 26, 1968

Richard D. Scott  
RICHARD D. SCOTT  
Notary Public, Oakland County

## OAKLAND COUNTY TREASURER'S CERTIFICATE

No. 27-21174 Pontiac, Mich. Aug 9, 1965  
I HEREBY CERTIFY that there is no TAX LIEN or TAXES held by the State or any individual against the within description, and all TOLLS on same as to five years previous to the date of this instrument, as appears by the records in this office except as stated.

Rev. 135 Jan 20, 1961 A. 2

Charles A. Frazier  
CHARLES A. FRAZIER, County Treasurer

APPROVED UNDER SECTION 35 of act  
PLAT 1, 1965, C. L. 1948 Section 56033  
and 1948 Section 56033

Richard D. Scott  
Notary Public, Oakland County

Richard D. Scott  
RICHARD D. SCOTT  
Notary Public, Oakland County

AUG 12 1965

I hereby certify that the plat herein delineated is a correct one, and that permanent monuments consisting of iron rods at least one half inch in diameter and 36 inches in length, encased in concrete cylinders four inches in diameter and 36 inches in length, have been set at points marked thus (O) as shown shown on all corners of the boundaries of the land platted, at all intersections of the lines of street and at intersections of the lines of streets with the boundaries of the plat.

William E. Menzel  
prepared & drafted by: William E. Menzel  
22655 Stephenson Highway  
Hazel Park, Michigan  
Registered Land Surveyor & Registered Professional Engineer  
No. 7313

## SURVEYOR'S CERTIFICATE

Plat approved pursuant to provisions of  
Act 172 of P. A. of 1929, as amended, this  
19th day of August, 1965  
OAKLAND COUNTY PLAT BOARD

Delos Haglund, Chairman, Comm. Bd. of Superv.  
John D. Murphy, County Clerk, Reg. of Deeds  
Daniel W. Berry, County Clerk, Reg. of Deeds  
Thomas J. Murphy, Comm. Board of Auditors  
J. C. Austin, Vice-Chm. Board of Auditors  
R. L. Lutz, Secy-Member Board of Auditors

## CERTIFICATE AS TO STATE TRUNK LINE

We hereby certify that said plat appears to include land located on a state trunk line or federal aid road.  
OAKLAND COUNTY PLAT BOARD  
John D. Murphy, County Clerk, Reg. of Deeds  
Daniel W. Berry, County Clerk, Reg. of Deeds  
Thomas J. Murphy, Comm. Board of Auditors  
J. C. Austin, Vice-Chm. Board of Auditors  
R. L. Lutz, Secy-Member Board of Auditors

## COPY

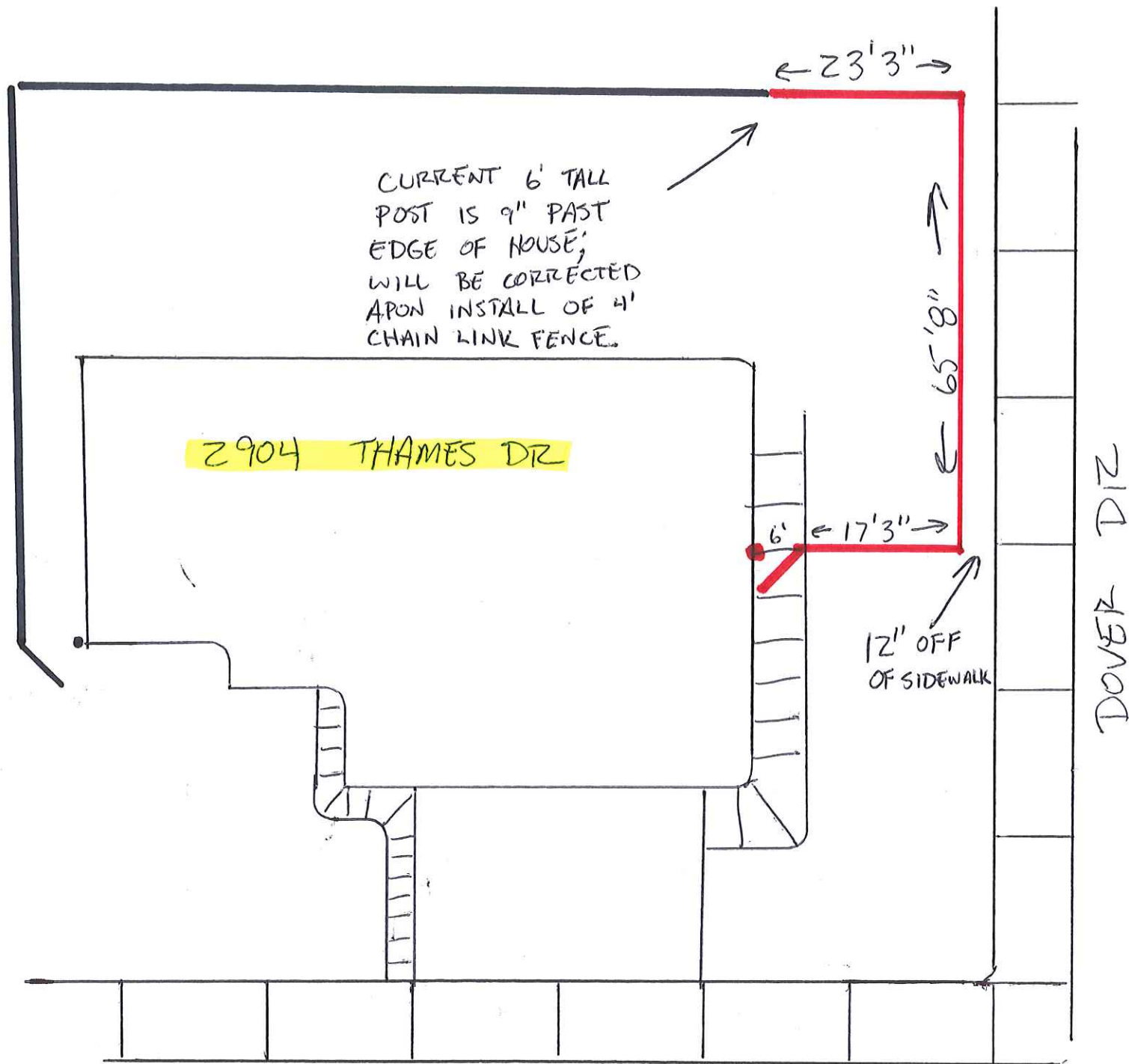
Register's Office  
Oakland County, ss.  
Plat of Yorkshire Subd'n  
was Recorded this 17th day of  
Sept A.D., 1965 at 12:00 clock  
A.M. in Liber 115 of Plats  
on Page 27430  
John D. Murphy  
Register of Deeds

ORIGINAL ON FILE



MATT HODGE

586-994-5010



— 6' TALL VINYL FENCE

— 4' TALL CHAINLINK FENCE





# GIS Online

Legend:



Notes:

Map Scale: 1=47

Created: December 28, 2019



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



































