

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
planning@troymi.gov

Gary Abitheira, Chair, Teresa Brooks
Matthew Dziurman, Sande Frisen, Mark F. Miller,

NOVEMBER 4, 2020

3:00 PM

REMOTE MEETING

Public Comment may be communicated to the Building Code Board of Appeals via telephone voice mail by calling 248-524-3546 or by sending an email to BCBAPublicComments@troymi.gov . All comments will be provided to the BCBA Board members.

1. ROLL CALL
2. SUSPENSION OF BUILDING CODE BOARD OF APPEALS BYLAWS
3. APPROVAL OF MINUTES – January 8, 2020
4. 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 feet. The petitioner is requesting a total of 106 feet 2 inches of 4 foot tall non-obscuring chain link fence plus a 6 foot long, 4 foot tall chain link gate variance in the required Dover Drive setback.
The petitioner was granted Building Permit PF 2019-0219 for a 6 foot PVC privacy fence that did not required a variance. However, the permit was not closed since the 6 foot fence encroaches by 9 inches into the Dover Dr. setback. The petitioner must correct the encroachment.

CHAPTER: 83
 - B. **VARIANCE REQUEST, Austin & Rachael Czarnik, 2984 Cedar Ridge Dr.** – This property is a double front corner lot. Since it is in the R1-C use district, as such it has a 30 foot required front setback along both Cedar Ridge Drive and West Big Beaver. The petitioner is requesting a variance to install a 6-feet high 85 feet long privacy PVC Chesterfield, Clay fence. Set back from 4 to 5 feet from the property line along the West Big Beaver side where the City Code limits fences to a 48 inches height due to the back to back relationship to the neighboring lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 151 feet, which 66 feet of the fence do not require a variance.

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NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at 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.

- C. **VARIANCE REQUEST, Joanna Gay, 4437 Yanich** – This property is a double front corner lot. Since it is in the R1-C use district, as such it has a 30 foot required front setback along both Yanich Drive and Longfellow Drive. The petitioner is requesting a variance to install a 4-feet high 118 feet non-obscuring wood fence along Longfellow Drive with a setback of one foot away from the property line. Where City Code limits fences to 30 inches high due to the fact that there isn't a back to back relationship to the neighboring rear lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 250 feet, which 132 feet of the fence do not require a variance

CHAPTER: 83

- D. **VARIANCE REQUEST, Carl & Jeanette Losey, 485 Booth** – This property is a double front corner lot. Since it is in the R1-B use district, as such it has a 40 foot required front setback along both Booth Road and Montclair Avenue. The petitioner is requesting a variance to install a 6-feet high 243 feet long vinyl privacy fence with a setback of 3 feet from the property line along Booth Road and Montclair Avenue. Returning the fence to the house with two gates and a 10 feet short section. The variance is requested for all sections, since all fall on the setback restricted area, and where the City Code limits fences to 48 inches high due to the fact that there is a back to back relationship to the neighboring rear lot.

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- E. **VARIANCE REQUEST, Linda Shears, 1538 Wrenwood Dr.** – This property is a double front corner lot. Since it is in the R1-C use district, as such it has 30 foot required front setback along West Big Beaver. The required setback from the property line. The petitioner is requesting a variance to install an 8-feet high 80 feet long obscuring wood fence at the back-property line running North to South and two sections that will start at 6 feet high and will increase in height to 8 feet once connecting to the back-lot line fence section. These two fence sections will run from east to west on the side lot lines. The 68 feet east to west section on the West Big Beaver property line, will require a variance that will allow for it to be re-installed at 20 feet from the property line at a 6 feet height.

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- F. **VARIANCE REQUEST, Jessica Harrington, 385 Cotswold.** – This property is a double front corner lot. Since it is in the R1-B use district, as such it has 40 foot required front setback along both Cotswold Drive and Folkstone Drive. The petitioner is requesting a variance to install a 4-feet high 144 feet long non-obscuring aluminum fence where City Code limits fences to 30 inches high due to the fact that there isn't a back to back relationship to the neighboring lot. The total length of fence requested by the petitioner to be permitted by the Building permit is 307 feet, which 163 feet of the fence do not require a variance.

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- G. **VARIANCE REQUEST, Karen E. Arnett, 4988 Calvert Dr.** – This property is a double front corner lot. Since it is in the R1-C use district, as such it has a 30 foot required front setback along both East Long Lake Road and Calvert Drive. The petitioner is requesting a variance to install a 4-feet high 140 feet non-obscuring metal fence. Setback 17.5 feet from the property line along the East Long Lake Road side where City Code limits fences to 30 inches high due to the fact that there isn't a back to back relationship to the neighboring lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 140 feet, which all 140 feet of the fence require a variance.

At that location the East Long Lake Rd. is 120 feet R.O.W

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- H. **VARIANCE REQUEST, Steven Rockoff, 2949 Vineyards Dr.** – This property is a double front corner lot. Since it is in the R1-A use district, as such it has a 40 foot required front setback along both Vineyards Drive. (East-West) and Vineyards Drive. (North-South section). The petitioner is requesting a variance to install a 5-foot high 70 feet long non-obscuring metal fence set back 21.5 feet from the property line along Vineyards Drive (North-South section) where City Code limits fences to 30 inches high due to the fact that there isn't a back to back relationship to the neighboring rear lot. The total length of fence requested by the petitioner to be permitted by the Building Department is 218.56 feet, which 148.56 feet of the fence will not require a variance.

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- I. **VARIANCE REQUEST, Anthony J. Podsiadlik, 2374 Cumberland Dr.** – This property is a double front corner lot. Since it is in the R1-C use district, as such it has a 30 foot required front setback along both Cumberland Drive and Greensboro Drive. The petitioner is requesting a variance to install a 6-feet high 112 feet long vinyl privacy fence. Setback 5 feet from the property line along the Greensboro Drive side where the City Code limits fences to a 48 inches height due to the back to back relationship to the neighboring lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 231 feet, which 119 feet of the fence do not require a variance.

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- J. **VARIANCE REQUEST, Katherine Pawlowski, 2718 Renshaw Dr.** – This property is a double front corner lot. Since it is in the R1-C use district, as such it has 30 feet required front setback along both Renshaw Drive and Argyle Drive. The petitioner is requesting a variance to install a 4-feet high 150 feet non-obscuring aluminum fence. Setback 1 foot from the property line along the Argyle Drive side where City Code limits fences to 30 inches high due to the fact that there isn't a back to back relationship to the neighboring lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 233 feet, which 83 feet of the fence do not require a variance.

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- K. **VARIANCE REQUEST, Michael A Sawyers, 2385 Hillcrescent Dr.** – This property is a double front corner lot. Since it is in the R1-C use district, as such it has a 30 foot required front setback along both Hillcrescent Drive and Greensboro Drive. The petitioner is requesting a variance to install a 6-foot high 120 feet long Vinyl privacy fence section that requires a variance. It will be setback 1 foot from the property line along the Greensboro Drive side where the City Code limits fences to a non-obscuring 48 inches height due to the back to back relationship to the neighboring rear lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 200 feet, which 80 feet of the fence do not require a variance.

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5. **COMMUNICATIONS**
6. **PUBLIC COMMENT**
7. **MISCELLANEOUS BUSINESS**
8. **ADJOURNMENT**

PROPOSED RESOLUTION TO CONDUCT ELECTRONIC MEETING

RESOLVED, that the Troy Building Code Board of Appeals hereby allows all members to participate in public meetings by electronic means as allowed by Public Act 228 of 2020, since an in person meeting could detrimentally increase exposure of board members and the general public to COVID-19, and would also be difficult to facilitate in light of the Michigan Department of Health and Human Services epidemic orders protecting public health and safety.

Members participating electronically will be considered present and in attendance at the meeting and may participate in the meeting as if physically present. However, members must avoid using email, texting, instant messaging, and other such electronic forms of communication to make a decision or deliberate toward a decision.

RESOLVED, that the Troy Building Code Board of Appeals hereby establishes public participation rules for any eligible virtual meetings to provide for two methods by which members of the public can be heard by others during meetings. Email sent to BCBAPublicComments@troymi.gov and received by 9:00 am on the day of the meeting will be read during the public comment period of the meeting. Voicemail left at 248-524-3546 and received by 9:00 am on the day of the meeting will be played during the public comment period of the meeting. Both email and voicemail public comments will be limited to three minutes each.

Chair Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:05 p.m. on January 8, 2020 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

Not Present

Andrew Schuster

Support Staff Present

Salim Huerta, Building Official

Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF MINUTES

Moved by: Frisen

Support by: Brooks

RESOLVED, To approve the minutes of the December 4, 2019 Regular meeting as submitted.

Yes: All present (4)

MOTION CARRIED

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-foot required Thames Drive front setback or the 25-foot required Dover Drive setback as defined for the R-1E Zoning District. 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 inches. The petitioner is requesting a total of 106 feet, 2 inches of a 4-foot tall non-obscuring chain link fence plus a 6-foot long, 4-foot tall chain link gate variance in the required Dover Drive setback.

The petitioner was granted Building Permit PF 2019-0219 for a 6-foot PVC privacy fence that did not require a variance. However, the permit was not closed since the 6-foot fence encroaches by 9 inches into the Dover Drive setback. The petitioner must correct the encroachment.

Acknowledging the petitioner was not present, Chair Abitheira announced he would give the applicant additional time to arrive, move forward with the agenda and come back to the item.

4. COMMUNICATIONS

Mr. Huerta announced Andrew Schuster resigned from the Board effective with the expiration of his term, January 1, 2020.

Mr. Miller said City Council at their December 16, 2019 meeting nominated Matthew Dziurman. His appointment to the Board will be acted upon at a future City Council meeting.

5. PUBLIC COMMENT – None

6. MISCELLANEOUS BUSINESS – None

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-foot required Thames Drive front setback or the 25-foot required Dover Drive setback as defined for the R-1E Zoning District. 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 inches. The petitioner is requesting a total of 106 feet, 2 inches of a 4-foot tall non-obscuring chain link fence plus a 6-foot long, 4-foot tall chain link gate variance in the required Dover Drive setback.

The petitioner was granted Building Permit PF 2019-0219 for a 6-foot PVC privacy fence that did not require a variance. However, the permit was not closed since the 6-foot fence encroaches by 9 inches into the Dover Drive setback. The petitioner must correct the encroachment.

Chair Abitheira acknowledged the applicant had yet to arrive at 3:10 p.m.

Moved by: Abitheira
Support by: Frisen

RESOLVED, To postpone the variance request of Vladimir Korcari, 2904 Thames, to the next scheduled meeting with more than one business item to conduct.

Yes: All present (4)

MOTION CARRIED

7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:12 p.m.

Respectfully submitted,

Gary Abitheira, Chair

Kathy L. Czarnecki, Recording Secretary

C:\Users\bob\Documents\Kathy\COT Building Code Board of Appeals\Minutes\2020\2020 01 08 Regular Meeting_Draft.doc

From: [Salim Huerta](#)
To: [Jackie Ferencz](#)
Subject: Thames narrative,
Date: Sunday, October 25, 2020 10:51:03 PM

- A. **VARIANCE REQUEST- Vladimir Korcari, 2904 Thames Dr.** – This property is a double front corner lot. Since it is in the R-1E use district, as such it has 25 feet required front setback along both Thames Dr. and the Dover Dr. The petitioner is requesting a variance to install a 4-feet high 112.25 feet non-obscuring link fence. Setback 1 foot from the property line along the Dover Dr side where City Code limits fences to 30 inches high due to the fact that there isn't a back to back relationship to the neighboring lot.

**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



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.



GIS Online



Legend:

- 2904 THAMES
- 25' SETBACK
- 4' LINK FENCE
- 6' WIDE GATE
- * TOTAL FENCE FOR BUILDING PERMIT IS 112.25'
- * REQUIRED VARIANCE IS FOR 112.25'
- * SETBACK FROM DOVER IS 1 FOOT.

Notes:

R 1 E

B 4: S. H.

Map Scale: 1=47

Created: October 26, 2020



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.













9208542



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. It's 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.

From: [Salim Huerta](#)
To: [Jackie Ferencz](#)
Subject: Narrative for the BCBA Postcard Mailing for 2984 Cedar Ridge Dr
Date: Sunday, October 18, 2020 12:21:23 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

A. VARIANCE REQUEST- Austin & Rachael Czarnik, 2984 Cedar Ridge Dr. – This property is a double front corner lot. Since it is in the R1-C use district, as such it has a 30 feet required front setback along both Cedar Ridge Dr. and West Big Beaver. The petitioner is requesting a variance to install a 6-feet high 85 feet long privacy PVC Chesterfield, Clay fence. Set back from 4 to 5 feet from the property line along the West Big Beaver side where the City Code limits fences to a 48 inches height due to the back to back relationship to the neighboring lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 151 feet, which 66 feet of the fence do not require a variance.

Thank you
Sincerely



Salim Huerta
Building Official | City of Troy
O: 248.524.3354
C: 734.363.0823



**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



FEE \$50

NOTICE TO THE APPLICANT

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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: 2984 Cedar Ridge Dr. Troy, Mi 48084
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 2030127025
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 Austin & Rachael Czarnik

COMPANY _____

ADDRESS 2984 Cedar Ridge Dr

CITY Troy STATE MI ZIP 48084

TELEPHONE Rachael (734) 536-7121 Austin (586) 453-4812

E-MAIL aczarnik92@gmail.com, rachaelczarnik@gmail.com

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: Owner

8. OWNER OF SUBJECT PROPERTY:

NAME Same as #6

COMPANY _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

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.

Austin Czarnik/ Rachael Czarnik

I, _____ (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  DATE 03/05/2020

PRINT NAME: Austin Czarnik Rachael Czarnik

SIGNATURE OF PROPERTY OWNER  DATE 03/05/2020

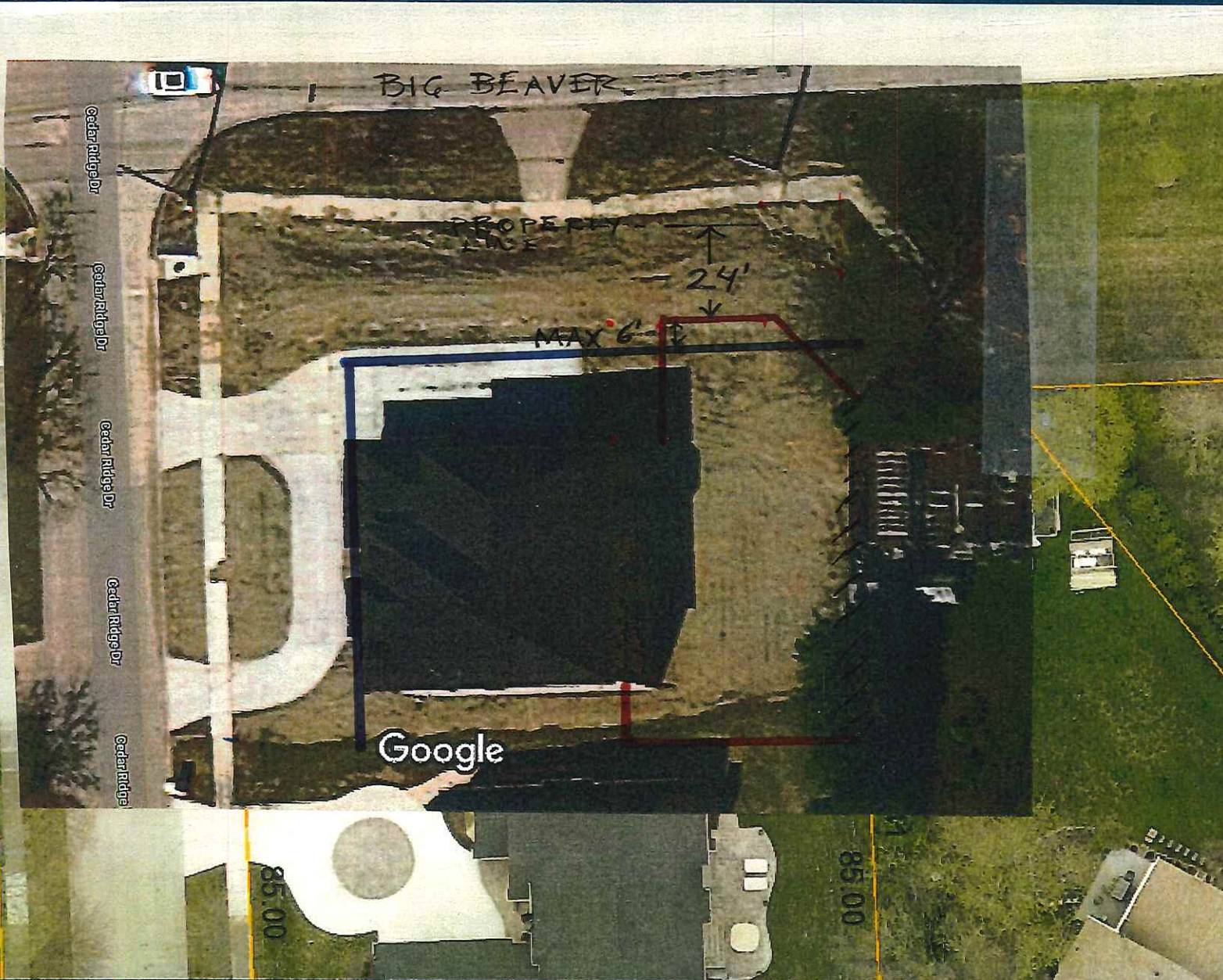
PRINT NAME: Austin Czarnik Rachael Czarnik

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.



GIS Online



Legend:

□ Tax Parcel

2984 CEDAR RIDGE
30' SETBACK.

■ SETBACK

■ FENCE 6'
(VINYL)

*TOTAL FENCE
FOR A BUILDING
PERMIT IS:
151 FEET

*REQUIRED
VARIANCE IS:
FOR 55 FEET N

*VARIANCE NOT
REQUIRED FOR
96 FEET.

* 24 FEET
FROM WEST
BIG BEAVER
PROPERTY LINE:

/// EXISTING
WOOD FENCE

Notes:

R1-C
30 FEET
SETBACK.

Map Scale: 1=47

Created: October 26, 2020



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.







586-256-6257

53153 Luann Dr.
Shelby Twp MI 48316

Miss Dig _____
Permit _____
Survey _____

Name	Austin Czarnik				Street Address	2984 Cedar Ridge	
City	Troy	State	MI	Zip Code	48084	Phone	586-453-4812
Email	aczarnik92@gmail.com						
Employed By:						Phone 2	
SHELBY FENCE proposes to furnish, deliver and erect the following fence, as per ground plan and measurements herewith:							
143	ft.	PVC Privacy, Chesterfield, Clay			type fence	6	ft. high
wire				gauge			
				inch mesh			
Line posts		OD		Total Price	\$8,652.18		
Terminal Posts		OD		Down Payment*			
Gate Posts		OD		Final Payment*			
Top Rail		OD					
				Permit: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Survey: Yes <input type="checkbox"/> No <input type="checkbox"/>			
Single Gates		ft. wide					
Double Gates	1- 8	ft wide					

*TERMS: ½ Down \$4,326.09 prior to start of prior to start of project. Balance Due on completion. Late payments shall be charge 1.5% late charge per month on unpaid balance. Owner to make payments as per terms without Shelby Fence sending bills. There will be a \$50.00 charge for returned checks.

Notes:	<p>The diagram shows a rectangular fence layout. The top boundary is labeled 'Existing Wood Fence'. The left boundary is 31' high. The bottom boundary has a section labeled '8' Double Gate' with a width of 10'. The right boundary is 56' high. The bottom boundary also has a section labeled '10' on the right side. The top boundary has a section labeled '26'' on the left side.</p>
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GUARANTEE Installation and materials guaranteed for a period of one year against defects resulting from improper workmanship.

The undersigned agree that above layout and specifications are correct. The undersigned further has read and understands the agreement as listed in the reverse side.

ACCEPTED

Representative Shelby Fence

X

Owner

Date

AGREEMENT

The above proposal, when accepted by Shelby Fence at its office, becomes a contract between the two parties. If contractor does not accept this proposal, it shall return any deposits paid by buyer to buyer. Thereafter, this proposal shall become null and void.

Buyer agrees to defend, hold harmless, and indemnify contractor from and against all claims, liabilities and expenses for trespass and other damage for loss including, but not limited to utilities, sewers, and other obstructions private or public.

BUYER assumes full responsibility for the location of property line upon which materials are to be installed and agrees to hold contractor harmless from all claims arising from questions of survey of said property or location of fence line. The fence line may or may not be the legal boundary. If survey or permit is necessary, the property owner is required to pay for that service. Buyer agrees to pay \$10.00 for each hole that needs to be hand dug due to any underground utilities located within 24" of fence line. Owner may locate and expose any underground lines in order to offset this cost.

The Buyer is responsible for establishing fence lines, grade and removal of all obstructions from the line at the buyer's sole and exclusive expense. Failure to properly locate lot lines, establish grade, or remove obstructions shall be the responsibility of the owner and may result in additional charges.

Contractor shall not be liable for delays caused by strikes, weather conditions, delay in obtaining material, or any other causes beyond its control. Completion dates and other dates for installation of the fence are only estimates. Shelby Fence is not responsible for any delays, unless otherwise indicated and approved by an officer of the company.

The contractor shall not be liable for any resultant damages to premises or materials located on premises including cement or asphalt cracking or cutting private lines (such as sprinkler lines, private gas, electrical, or pool lines) from work herein contracted. If it is necessary to remove pavers to install the fence, customer shall be responsible for the replacement of pavers.

Customer is responsible for all window and door alarms for pools. Shelby Fence does not install any alarms.

Checks, sap, stains, crack, exposed knots and minor warping on wood fences are acceptable in lumber, as they do not reduce its strength and such lumber will not be considered defective. Galvanized or coated nails may bleed on fence, but will disappear with the natural graying of wood materials.

PVC product may have imperfections due to internal support braces, heat etc. PVC product may become brittle due to cold weather. PVC product may expand and/or contract in warm and cold weather.

Price quoted is for normal installation, if additional items such as concrete breaks, asphalt breaks, or rough fill is discovered, additional charges will be added to your contract unless already noted. If additional materials or other items, such as fillers that must be built to close in gaps are required to complete fence, owner agrees to pay for these additional items needed.

Buyer assumes responsibility of dirt removal from the installation of the post. If contractor removes dirt, an additional per hole charge will be added for the service.

Buyer agrees to pay for removal of old fence unless otherwise noted.

Buyer agrees to payment of 25% of total contract price, if order is cancelled by the buyer prior to performance by Shelby Fence.

Shelby Fence retains a purchase money security interest in the fence until paid in full. Further the parties agree that the fence is personal property and not a fixture. In the event that the buyer fails to make any payments when due, Shelby Fence may avail itself to all remedies and buyers shall reimburse Shelby Fence for all costs of collection including but not limited to collection agencies fees, attorney's fees, court costs and the like.

From: [Larry Powe](#)
To: [Lori G Bluhm](#)
Cc: [City Manager Distribution Group](#); [Planning](#); aczarnik92@gmail.com; [Rachael Reister](#)
Subject: RE: Fence Variance Request, dated March 5, 2020 FOR IMMEDIATE ATTENTION
Date: Tuesday, October 6, 2020 10:29:23 AM

Thank you. I saw no notice. You must understand that we are presuming the long delay results from the need to set this up as a virtual (Zoom! type meeting. Mrs. Czarnik is pregnant!) Please provide the meeting entry information. 8 months to get a meeting?

Very truly yours,

Larry E. Powe, Esq., Of Counsel
Hladik, Onorato and Federman, LLP.

Please note that due to the Coronavirus Pandemic, our staff is working remotely. We do not anticipate any significant impact on the HOF Law Group's responses to any inquiries. Please be aware, however, that some tasks may take additional time to turn around. Your understanding is appreciated during these unprecedented circumstances.

PA Office | 298 Wissahickon Avenue | North Wales, PA 19454
NJ Office | 1451 Chews Landing Road | Suite 206 | Laurel Springs, NJ 08021
AZ Office | 3411 N. 32nd Street | Phoenix, AZ 85018
MI Office | 3290 West Big Beaver Road, Suite 117 | Troy, MI 48084
(248) 519-4123(Direct Dial) | www.hoflawgroup.com
Facsimile (248) 269-8503
Main telephone (248) 362-2600
Mobile telephone (586) 295-5415
Email lpowe@hoflawgroup.com

PLEASE NOTE: Offices are located at 3290 W. Big Beaver Road, Suite 117, Troy, Michigan 48084-2911 (third building north of W. Big Beaver, west of Coolidge Hwy., off of Cunningham Drive).

This e-mail, including attachments, is intended for the exclusive use of the person or entity to which it is addressed and may contain confidential or privileged information. If the reader of this e-mail is not the intended recipient or his/her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you think that you have received this e-mail in error, please advise the sender by reply e-mail of the error and then delete this e-mail immediately.

-----Original Message-----

From: Lori G Bluhm <BluhmLG@troymi.gov>
Sent: Monday, October 5, 2020 4:15 PM
To: Larry Powe <lpowe@hoflawgroup.com>
Subject: RE: Fence Variance Request, dated March 5, 2020 FOR IMMEDIATE ATTENTION

Your clients were notified on September 30, 2020 that this matter is intended be heard before the Troy Building Code Board of Appeals on November 4, 2020 at 3 pm. Your clients were advised to notify City of Troy staff if they were not available on this date. City staff has continued to communicate with your clients.

The City of Troy offices remain closed as of today's date, and we are not sure when City Hall will be open to the public and/or for public meetings. We were previously following the dictates of Governor Whitmer, who directed that anything that could be postponed should be postponed, and also imposing limits on the numbers of persons that could be present for meetings. After the Supreme Court decision concerning the Governor's Emergency Orders, we are evaluating next steps, but understand that your clients want to have their request for a variance from the City of Troy codes at the earliest opportunity.

Lori Grigg Bluhm

City Attorney | City of Troy

O: 248.524.3323

C: 248.885.1899

-----Original Message-----

From: Larry Powe <lpowe@hoflawgroup.com>

Sent: Friday, October 2, 2020 11:51 AM

To: Lori G Bluhm <BluhmLG@troymi.gov>

Cc: Planning <planning@troymi.gov>; City Manager Distribution Group <CityManager@troymi.gov>

Subject: RE: Fence Variance Request, dated March 5, 2020 FOR IMMEDIATE ATTENTION

Lori and others,

My sincere apologies for the oversight. Here is a complete document, letter and attachments.

Larry Powe

Larry E. Powe, Esq., Of Counsel

Hladik, Onorato and Federman, LLP.

Please note that due to the Coronavirus Pandemic, our staff is working remotely. We do not anticipate any significant impact on the HOF Law Group's responses to any inquiries. Please be aware, however, that some tasks may take additional time to turn around. Your understanding is appreciated during these unprecedented circumstances.

PA Office | 298 Wissahickon Avenue | North Wales, PA 19454 NJ Office | 1451 Chews Landing Road | Suite 206 | Laurel Springs, NJ 08021 AZ Office | 3411 N. 32nd Street | Phoenix, AZ 85018 MI Office | 3290 West Big Beaver Road, Suite 117 | Troy, MI 48084

(248) 519-4123(Direct Dial) | www.hoflawgroup.com Facsimile (248) 269-8503 Main telephone (248) 362-2600 Mobile telephone (586) 295-5415 Email lpowe@hoflawgroup.com

PLEASE NOTE: Offices are located at 3290 W. Big Beaver Road, Suite 117, Troy, Michigan 48084-2911 (third building north of W. Big Beaver, west of Coolidge Hwy., off of Cunningham Drive).

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-----Original Message-----

From: Lori G Bluhm <BluhmLG@troymi.gov>

Sent: Thursday, October 1, 2020 5:09 PM

To: Larry Powe <lpowe@hoflawgroup.com>

Subject: RE: Fence Variance Request, dated March 5, 2020 FOR IMMEDIATE ATTENTION

Was there an attachment?

Lori Grigg Bluhm

City Attorney | City of Troy

O: 248.524.3323

C: 248.885.1899

-----Original Message-----

From: Larry Powe <lpowe@hoflawgroup.com>

Sent: Thursday, October 1, 2020 4:07 PM

To: Planning <planning@troymi.gov>; City Manager Distribution Group <CityManager@troymi.gov>; Lori G Bluhm <BluhmLG@troymi.gov>

Cc: aczarnik92@gmail.com; Rachael Reister <rachael_reister@yahoo.com>

Subject: Fence Variance Request, dated March 5, 2020 FOR IMMEDIATE ATTENTION

Please see the attached correspondence

Sincerely, Larry E. Powe, Esq., Of Counsel Hladik, Onorato and Federman, LLP.

Please note that due to the Coronavirus Pandemic, our staff is working remotely. We do not anticipate any significant impact on the HOF Law Group's responses to any inquiries. Please be aware, however, that some tasks may take additional time to turn around. Your understanding is appreciated during these unprecedented circumstances.

PA Office | 298 Wissahickon Avenue | North Wales, PA 19454 NJ Office | 1451 Chews Landing Road | Suite 206 | Laurel Springs, NJ 08021 AZ Office | 3411 N. 32nd Street | Phoenix, AZ 85018 MI Office | 3290 West Big Beaver Road, Suite 117 | Troy, MI 48084

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Hladik, Onorato
& Federman, LLP
THE HOF LAW GROUP

Stephen M. Hladik ◇
David C. Onorato *
Thomas M. Federman +
Rose Marie Brook ○

Jonathan Engman
Paul J. Santi
Panayiotis Marselis

Larry E. Powe, Of Counsel
Direct Dial (248) 519-4123
Email lpowe@hoflawgroup.com
Mobile (586) 295-5415

October 1, 2020

City of Troy
Planning Department
Attention: R. Brent Savidant, Director planning@troymi.gov
500 W. Big Beaver Road
Troy, Michigan 48084

Re: Variance Request, dated March 5, 2020
For 2984 Cedar Ridge Drive, Troy, Michigan
Austin & Rachael Czarnik, titleholders

Dear Sir/Madam:

This office has been retained to address the malingered fence line variance request submitted by our clients, Austin and Rachael Czarnik in February of this year, before the COVID-19 pandemic. While our very reasonable clients have recognized the unique status of things, including the operations of City government, during this pandemic, in spite of a lot of patience and very courteous inquiries about the pendency of their request for a hearing on the request for the fence line variance for their residence locating on the corner of Cedar Ridge Drive and West Big Beaver Road, Austin and Rachael have not been advised of why there is now more than a 7-month delay to address their petition for variance. The request is to allow them to install a premiere-designed fence on their immaculately maintained property, a newly constructed residence on Cedar Ridge Drive, running from the corner of the northside driveway then proceeding directly east to the rear lot line, with a unique jag to accommodate the installed public sidewalk that makes "a curve" along Big Beaver Road. A plot plan drawing is attached. In spite of that drawing, the desire of the owners is to place the fence on the side of the "berm" closer to the house and its driveway, then running east. The unique jag in the fence will run parallel to the public sidewalk that makes a "curve".

Inquiry from Mrs. Czarnik to the City Planning Department over the past few months has been ignored. This is most distressing to the Czarniks because, very recently, in the late-night hours, an uninvited stranger was witnessed approaching the house, talking to an electronic device, while standing on the Czarnik property. The stranger was directed to

www.hoflawgroup.com

3290 West Big Beaver, Suite 117, Troy, MI 48084-2911 • 248.362.2600

◇Admitted in PA NJ NM only | * Admitted in PA AZ CA only | + Admitted in PA NJ only | ○ Michigan Managing Attorney

depart from the premises and, immediately thereafter in the early morning, a Troy police report memorialized the event. Moreover, during this time, while the Czarniks are expecting their first child, Mr. Czarnik is required to travel away from home for weeks at a time. Mrs. Czarnik's concern for her safety and that is the unborn baby is an extreme distraction to this family.

When will the Planning Commission be addressing the pending variance petition? When will the Czarniks, and any others who wish "to attend", be notified as required by the Open Meetings Act and allowed to participate in a virtual hearing on this issue? In the event that the City of Troy fails to communicate to the undersigned regarding this inquiry **within seven (7) calendar days from the date of this letter**, the litigation will be initiated to force the process.

Thank you for your anticipated attention to this matter.

Very truly yours,

HLADIK, ONORATO & FEDERMAN, LLP



Larry E. Powe
Of Counsel

LEP/bhs

cc: Mark Miller, City Manager citymanager@troymi.gov
Lori Grigg Bluhm, Esq., City Attorney bluhmlg@troymi.gov

www.hoflawgroup.com

3290 West Big Beaver, Suite 117, Troy, MI 48084-2911 • 248.362.2600

◊ Admitted in PA NJ NM only | * Admitted in PA AZ CA only | + Admitted in PA NJ only | ○ Michigan Managing Attorney

From: [Salim Huerta](#)
To: [Jackie Ferencz](#)
Subject: Narrative for the BCBA Postcard Mailing for 4437 Yanich
Date: Sunday, October 18, 2020 12:59:50 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

A. VARIANCE REQUEST- , 4437 Yanich – This property is a double front corner lot. Since it is in the R1-C use district, as such it has a 30 feet required front setback along both Yanich Dr. and Longfellow Dr. The petitioner is requesting a variance to install a 4-feet high 118 feet non-obscuring wood fence along Longfellow Dr. with a setback of one foot away from the property line. Where City Code limits fences to 30 inches high due to the fact that there isn't a back to back relationship to the neighboring rear lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 250 feet, which 132 feet of the fence do not require a variance.

Thank you
Sincerely



Salim Huerta
Building Official | City of Troy
O: 248.524.3354
C: 734.363.0823
A row of five social media icons: Facebook, Instagram, Twitter, YouTube, and LinkedIn.

**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



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: 4437 Yanich Drive, Troy MI 48085
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-15-405-023
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 Joanna Gay

COMPANY _____

ADDRESS 4437 Yanich Drive

CITY Troy

STATE MI

ZIP 48085

TELEPHONE 248-515-6226

E-MAIL joannakimberly11@gmail.com

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: Owner of Property

8. OWNER OF SUBJECT PROPERTY:

NAME Joanna Gay

COMPANY _____

ADDRESS 4437 Yanich Drive

CITY Troy

STATE MI

ZIP 48085

TELEPHONE 248-515-6226

E-MAIL joannakimberly11@gmail.com

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, Joanna Gay (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

Joanna K. Gay

DATE 5-27-2020

PRINT NAME:

Joanna K. Gay

SIGNATURE OF PROPERTY OWNER

Joanna K. Gay

DATE 5-27-2020

PRINT NAME:

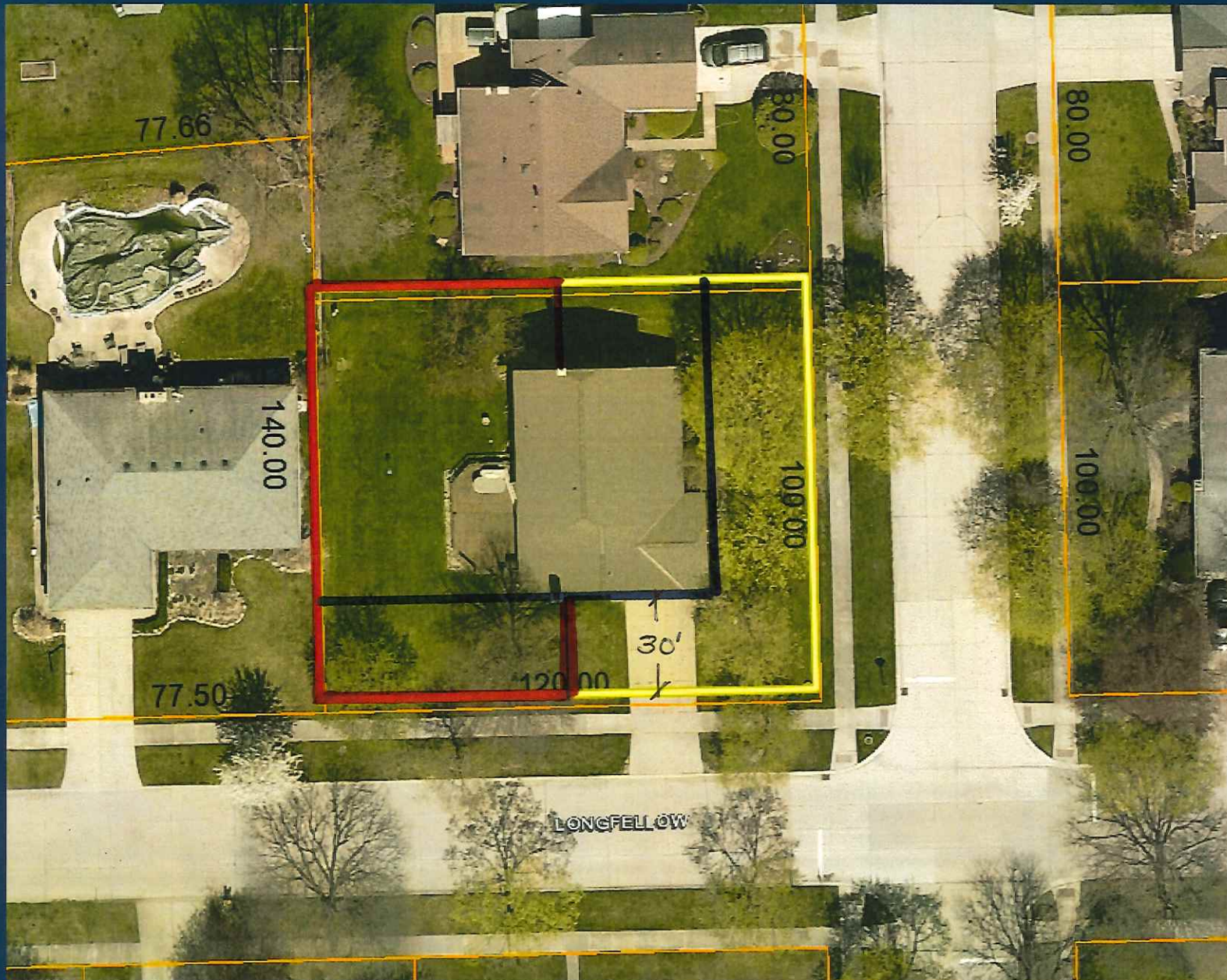
Joanna K. Gay

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.



GIS Online



Legend:

4437 YANICH

30' SETBACK
4' NON -
OBSCURING
WOOD FENCE.

* BUILDING
PERMIT
TOTAL FENCE
250 FEET

* REQUIRED
VARIANCE IS
FOR 118 FEET

* VARIANCE IS
NOT REQUIRED
FOR 132 FEET

* OFF SET FROM
PROPERTY
LINE IS
1 FOOT FROM
THE LONG -
FELLOW SIDE.

Notes:

R-1c
30 FEET
SETBACK.









Open with ▾

www.troymi.gov

FENCE PERMIT APPLICATION**CITY OF TROY**

DEPARTMENT OF BUILDING INSPECTIONS

500 W. BIG BEAVER ROAD

TROY, MICHIGAN 48064

Phone: 248-524-3344 Fax: 248-889-3120

Check # _____

FENCEDate: 3-30-2020

Project Information	Job Address: <u>4437 Yanich Drive</u>		Suite # _____
	Lot: _____	Subdivision: _____	
Applicant Information	Owner: <u>Matthew and Joanna Gay</u>		Phone: <u>248-515-6226</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.
	Name: <u>Matthew and Joanna Gay</u>		Phone: <u>248-515-6226</u> Fax: _____
Address: <u>4437 Yanich Drive</u>		City: <u>Troy</u>	State: <u>MI</u> Zip: <u>48085</u>
Email: <u>joannakimberly11@gmail.com</u>			

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

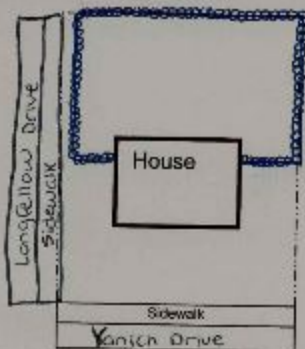
Final lot grade shall be approved before a fence permit is issued.

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	xxxxxx		□□□□	-----
HEIGHT	48"				
NO. OF FEET	~250'				
PERMIT FEE	<input checked="" type="checkbox"/> Under 300' \$15.00 <input type="checkbox"/> Over 300' \$25.00				

Interior Lot ☐Corner Lot ☒

Building Department Approval _____

Section 23a of the state construction code act of 1972, 1972PA 230, MCL 125.1523A, 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

Joanna K. Gay

Homeowner's signature indicates compliance with homeowner's affidavit

Homeowner Affidavit

I hereby certify that the fencing described on this permit application will be installed by myself or my own hands in which I am living or about to occupy. All work shall be installed in accordance with the City of Troy Ordinance. I understand that I am responsible to arrange for necessary inspections.

Page 1 of 1







A. VARIANCE REQUEST- Carl & Jeanette Losey, 485 Booth – This property is a double front corner lot. Since it is in the R1-B use district, as such it has a 40 feet required front setback along both Booth Rd. and Montclair Ave. The petitioner is requesting a variance to install a 6-feet high 243 feet long vinyl privacy fence with a Setback of 3 feet from the property line along Booth Rd. & Montclair Ave. Returning the fence to the house with two gates and a 10 feet short section. The variance is requested for all sections, since all fall on the setback restricted area, and where the City Code limits fences to 48 inches high due to the fact that there is a back to back relationship to the neighboring rear lot.

**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



FEE \$50

NOTICE TO THE APPLICANT

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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: _____

ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*

2. PROPERTY TAX IDENTIFICATION NUMBER(S): _____

3. CODE NAME (e.g. "BUILDING CODE", "SIGN CODE", "FENCE CODE") AND SECTION(S) RELATED TO THE APPEAL:

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 Carl & Jeanette Losey (Homeowners)
COMPANY *Note: If approved, fence will be professionally installed by Mr. Fence, 22160 Ryan Road, Warren, MI 48091 (586) 758-4490
ADDRESS 485 Booth
CITY Troy STATE MI ZIP 48085
TELEPHONE Jeanette's Mobile (586) 360-6286
E-MAIL jeanettelosey@gmail.com

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: Self

8. OWNER OF SUBJECT PROPERTY:

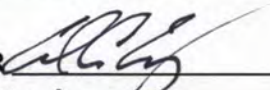
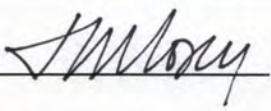
NAME Carl & Jeanette Losey
COMPANY _____
ADDRESS 485 Booth
CITY Troy STATE MI ZIP 48085
TELEPHONE Jeanette's Mobile (586) 360-6286
E-MAIL jeanettelosey@gmail.com

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, Carl & Jeanette Losey (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   DATE 6/10/2020
PRINT NAME: Carl & Jeanette Losey

SIGNATURE OF PROPERTY OWNER   DATE 6/10/2020
PRINT NAME: Carl & Jeanette Losey

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.



Legend:

- 485 BOOTH
- 40' SETBACK
- 6' VINYL FENCE
- GATE #1 50.5"
- GATE #2 10 FEET

- * BUILDING PERMIT TOTAL FENCE 243 FEET
- * REQUIRED VARIANCE IS FOR 243 FEET
- * OFFSET FROM PROPERTY LINE IS 3 FEET ON THE MONTECLAIR SIDE.

Notes:

R-1B
40 FEET
SETBACK.







Information Regarding Request for Setback Variance

485 Booth | Parcel: 88-20-03-178-024

My husband and I (Carl and Jeanette Losey) are requesting a front setback variance for the purposes of installing 110' of 6' premium CertainTeed Chesterfield CertaGrain textured vinyl privacy fence along Montclair Avenue in the Troyhurst subdivision – we are located on the northwest corner of Montclair Ave. and Booth Rd. This fence would replace an existing 4' chain link fence. Included you will find the following:

- Property Details with a Troy Zoning Map
- Proposed Fence Plan Drawn to Scale
- Mr. Fence Proposal/Contract (Professional Fence Installer)
- Exterior and Interior Photos of the Property
- Original Mortgage Survey with Markings for Proposed Fence
- New Boundary Survey (Staked by a licensed surveyor in May 2020)
- 16 Similar Property References with Privacy Fences in the Front Setback Area
- Troyhurst Subdivision Photos
- Multiple Neighbor Consent Forms with Photos of the Fence Area from Their Point-of-View
- CertainTeed Fence Product Information

When we purchased our home in 2006 we were attracted to the area because of the lot size and adjacency to major freeways (we had just welcomed home our very first dog and I was commuting a fair distance to work). Since buying the house we have cleaned up the yard: removed several diseased ash trees; hired a local lawn fertilizer service; added a hot tub; purchased a new patio set for outdoor dining; replaced the damaged asphalt driveway with concrete; and last year installed a new roof. Keeping our home looking great is definitely a top priority for us. Also, as a dog-friendly home (with 2 Australian Shepherds that are trained to do agility as well as some pretty fun tricks – one even plays the piano – <https://youtu.be/2oAEfozyQQ0>) use of our large backyard could be very rewarding for our entire family.

This enjoyment is often limited though because of the noise and traffic along the street (rollerbladers, families on bikes, dog walkers, and motorized dirt bikes are a regular occurrence, see video here: <https://youtu.be/BAwQrfhpnxA>). Even taking our dogs outside is a challenging process because of the over-stimulation from all the regular movement, see video example here: <https://youtu.be/tYAxWzWwQ4g>. PetHelpful.com states, “With a chain link fence, the dog still sees everything so he will feel motivated to sound the alarm for all those stimuli around him: bikes, joggers, women pushing strollers, kids playing, the mailman and the lady who walks her dog. The best fence options, therefore, would be those that limit the dog’s field of vision of the outside world.” Additional reference video: https://youtu.be/7Mwmp_KYNcl

In order to take full advantage of our yard and limit the exposure to noise and traffic, we would like to install a 6' privacy fence around the perimeter of the backyard, including 110' along Montclair. In addition to offering more privacy, it will also provide added security. Recently, an aluminum trailer we use to tow our recreational 4x4's had it's lock tampered with, all while tucked away in the backyard. I also had prior vandalism done to a Mustang convertible I owned (2 tires were slashed) as it was parked along our chain link fence. As you will see from the photos, our yard is very open to public view.

Adhering to the 40' front setback ordinance for the fence on the Montclair side of our property would cause us to lose more than 4,000 square foot of our backyard space – dividing the yard almost in half. Also, the primary access to our backyard is from our door that faces east toward Montclair. For a video, visit <https://youtu.be/9kvFW6F6vCg>. In order not to give up use of our yard, we are requesting a variance that would allow for a 3' setback from the property line along Montclair. This will complement other sight lines in the neighborhood as the fence will still be 33' from the road.

Included with this application are photos of the Troyhurst subdivision that show overgrown hedges, parked cars, and even permanent structures (garages and driveway markers) not only in the 40' front setback, but often less than 10' from the road. These hedges obscure traffic signs and contribute to reduced sight lines for traffic safety. Our request however, will not block the view near any intersection or for those pulling out of nearby driveways. You can also see with respect to our neighbors (photos included on the neighbor consent forms) that our proposed fence will not adversely impact their view aesthetically. In fact, we believe that a 6' privacy fence in place of the current 4' chain link will provide significant improvement – the dog agility equipment will be hidden, trash cans can be placed behind the fence, and the woodgrain textured fence in TimberBlend will blend with the existing landscape.

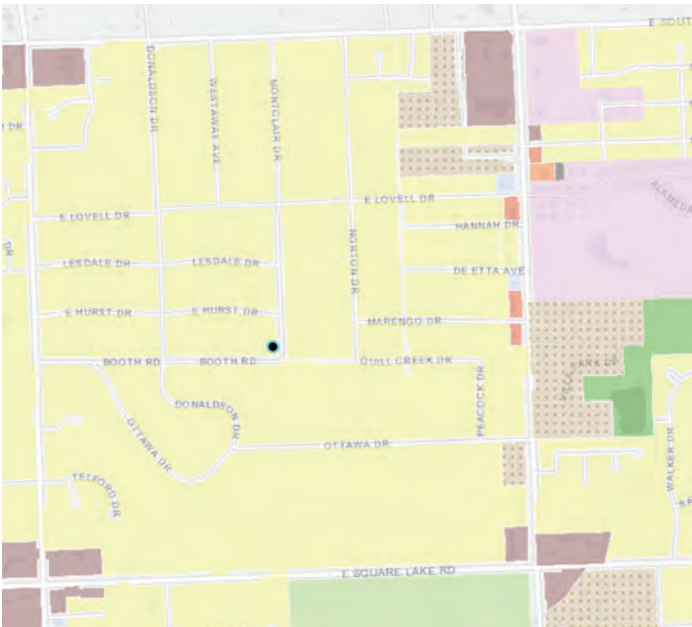
Thank you for your time and consideration in this matter.

We look forward to improving our property.

Carl & Jeanette Losey

Property Details – Troy Zoning Map

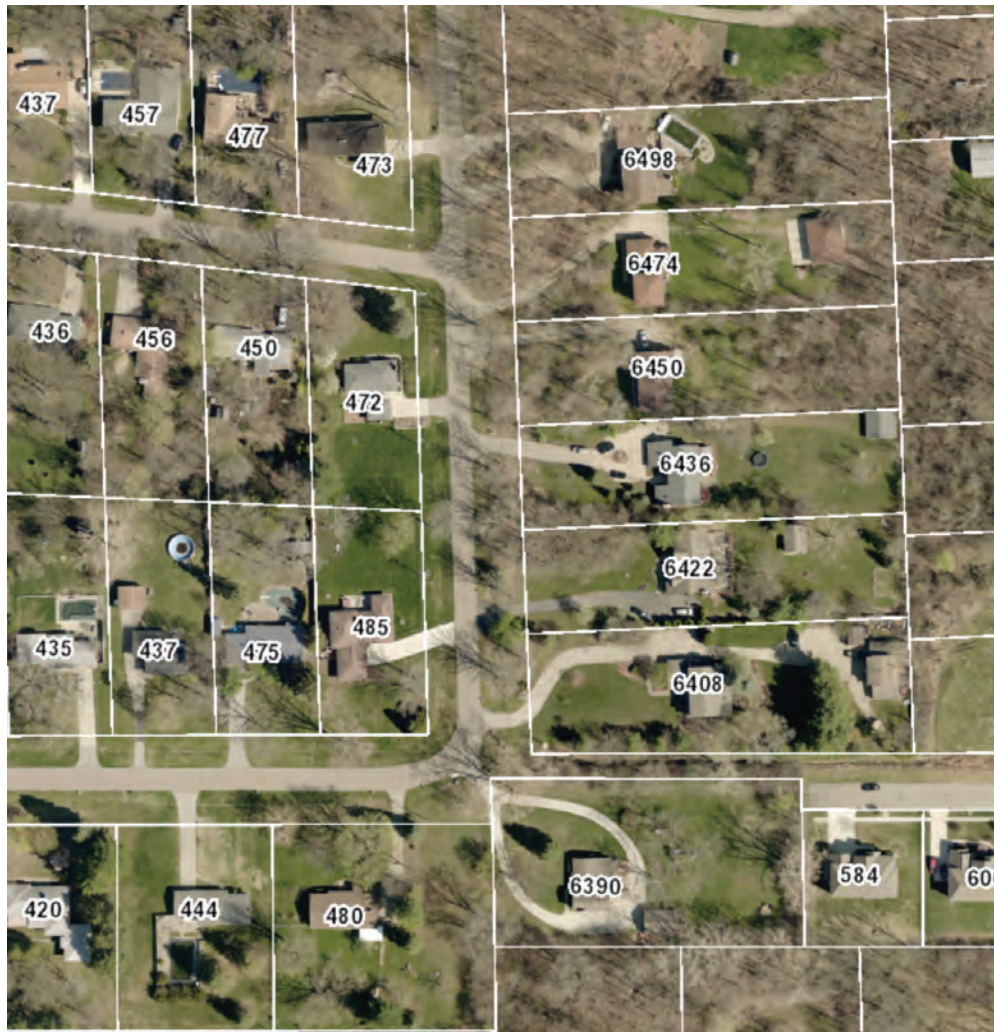
Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



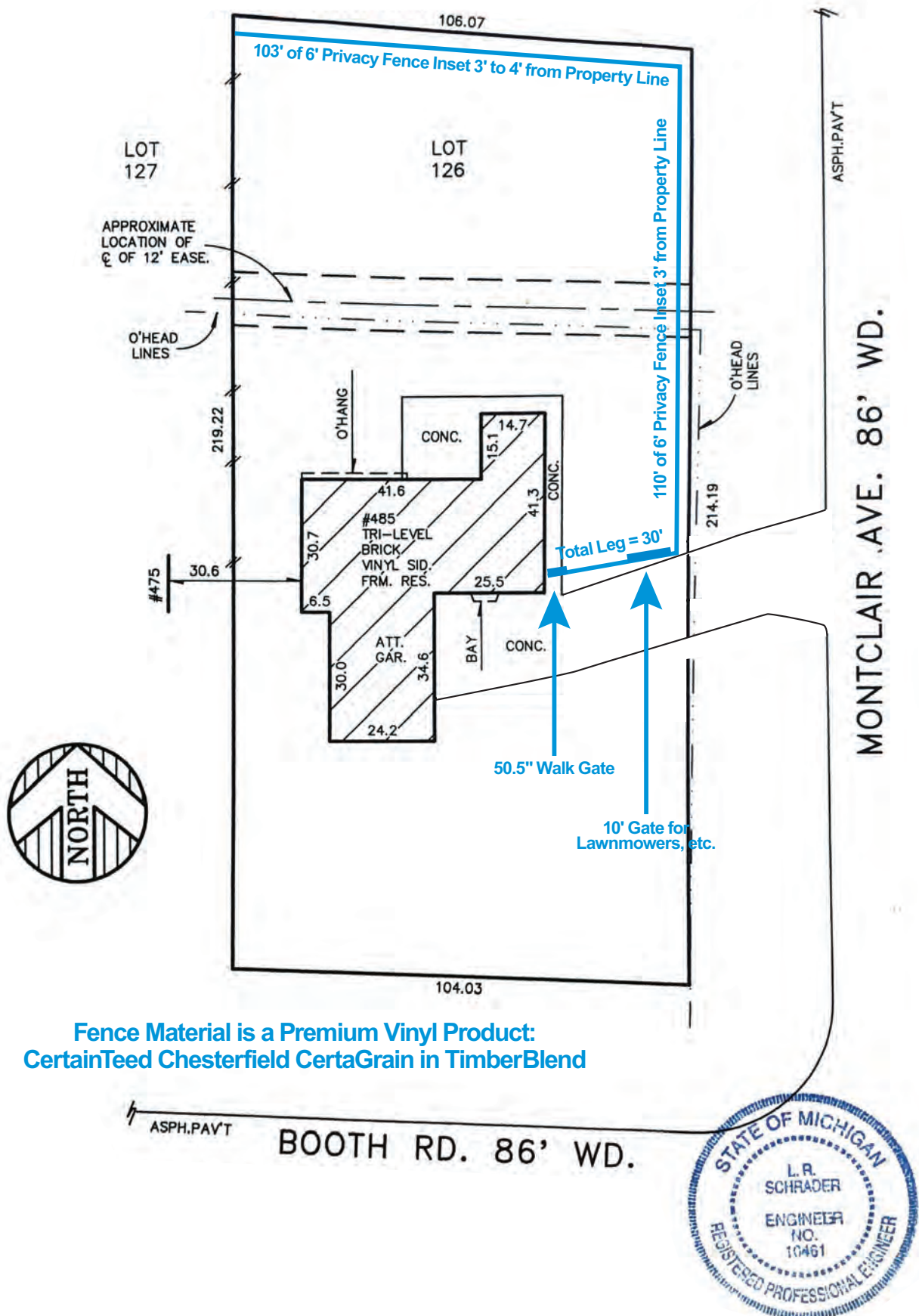
*Property is on the corner of Booth & Montclair
Zoned R-1B One Family Residential District*



*6' Premium CertainTeed Chesterfield Privacy Fence
Proposed for 2'-3' Inside Property Boundary*



Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



MR. FENCE, INC.
WARREN, MICHIGAN 48091
mrfence.bz

22160 Ryan Rd
586 758-4490 OFFICE, 758-4544 FAX
fence@mrfence.bz

PROPOSAL/CONTRACT

Page 1 of 1
05/15/2020

Customer Information:

Carl Losey
485 Booth
Troy, Michigan 48085

Job Information:

OPTION: Customer to remove and
dispose of all wire, top rail and
poles
DECREASE \$650.00 (2)

Notes:

- We obtain a permit
Remove and haul existing chain-link fence,
cutting poles at or below grade where
possible.
Install approximately 252' of 6' high
Timber Blend Chesterfield CertaGrain
Texture privacy fence on a remainder
basis. Flat Top Caps. Footage includes
one (1) 50 1/2" preassembled walk gate and
a set of double drive gates for an approx
10' opening. Heavy duty internal aluminum
gate frame and aluminum stiffener in the
hinge poles. Black nylon gate hardware.
Dirt hauled from site.
See contract amount.

OPTION: Spread excavated dirt in place at
poles at same time as above work DECREASE
\$360.00, \$180.00 down

while equipment is used to make
Cement Break we cannot guarantee
TERMS & CONDITIONS
against stress cracks.

MR. FENCE, INC. agrees to guarantee above fence labor for one year. Material warranty is based on product chosen and the manufacturer's warranty.

MR. FENCE, INC. shall obtain the fence permit, assuming no restrictions or variance requirements. MR. FENCE, INC. will assist the customer, upon request, in determining where the fence is to be erected, but under no circumstance does MR. FENCE, INC. assume any responsibility concerning property lines or in any way guarantee their accuracy. If property pins cannot be located it is recommended that the customer have the property surveyed.

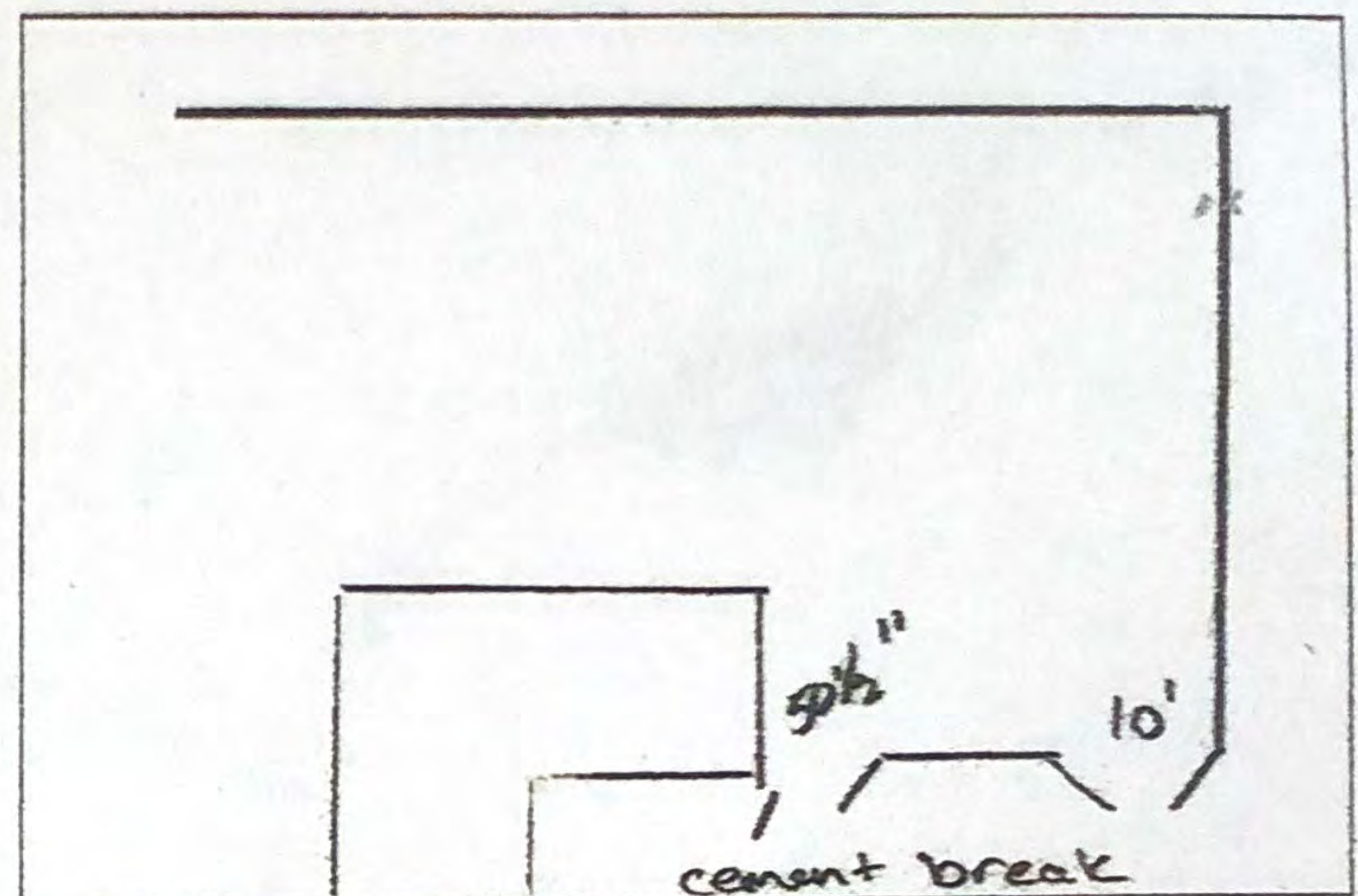
MR. FENCE, INC. will contact MISS DIG to have underground public utilities located and marked. However, MR. FENCE, INC. assumes no responsibility for unmarked sprinkler lines, or any other unmarked buried lines or objects. The customer will assume all liability for any damage caused by directing MR. FENCE, INC. to dig in the immediate vicinity of known utilities. Additional charges for work agreed to while the installer is on site, or by asking office staff to add additional work on site, will be added to the final billing. The full amount of this contract, along with any additional charges, will become payable upon completion of installation whether or not it has been invoiced.

A finance charge of 1 1/2% per month (or a minimum of \$1.00), which is an annual percentage rate of 18%, shall be applied to accounts that are not paid within 10 days after completion of any work invoiced. All materials will remain the property of MR. FENCE, INC. until all invoices pertaining to this job are paid in full. The customer agrees to pay all interest and any costs incurred in the collection of this debt.

Prices are honored for 30 days.

VISA, AMERICAN EXPRESS, DISCOVER and MATERCARD are accepted for a 3% service charge.

MR. FENCE, INC. is a 5-Star, ***** Certainteed (Bufftech) contractor.

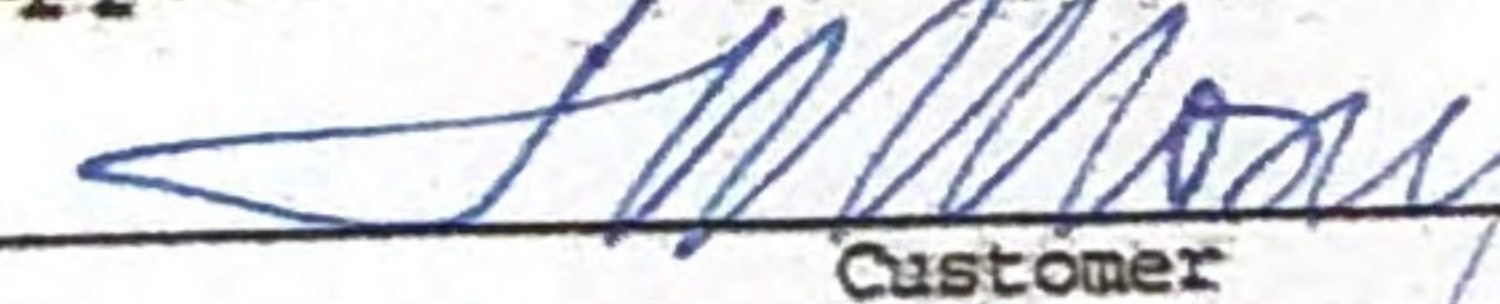


- ① DIRT CAN STAY IN PLACE
- ② WE WILL REMOVE FENCE
OLD CHAIN LINK

\$19,973 jmm

Contract Amount: \$ 20983.00
Down Payment: \$ 10492.00
Balance Due: \$ 10491.00

Approved & Accepted for Customer:


Customer

5/21/20
Date

Accepted for MR. FENCE, INC.:


Salesperson

Date

5/21 TALKED TO SEAN, SENDING \$5000 NOW
6/2 WILL PAY ANOTHER \$4,973
\$10,000 MORE UPON COMPLETION

Property Details – Exterior

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Photo above is facing north, parallel with Montclair



Photo above is facing north from Booth



Photo above is facing north from Booth



Photo above is facing north from Booth



Photo above is facing west from Montclair

Property Details – Interior

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Photo above is looking to Montclair from inside our main first floor living space



Photo above is looking to property corner



Photo above is facing northeast from inside



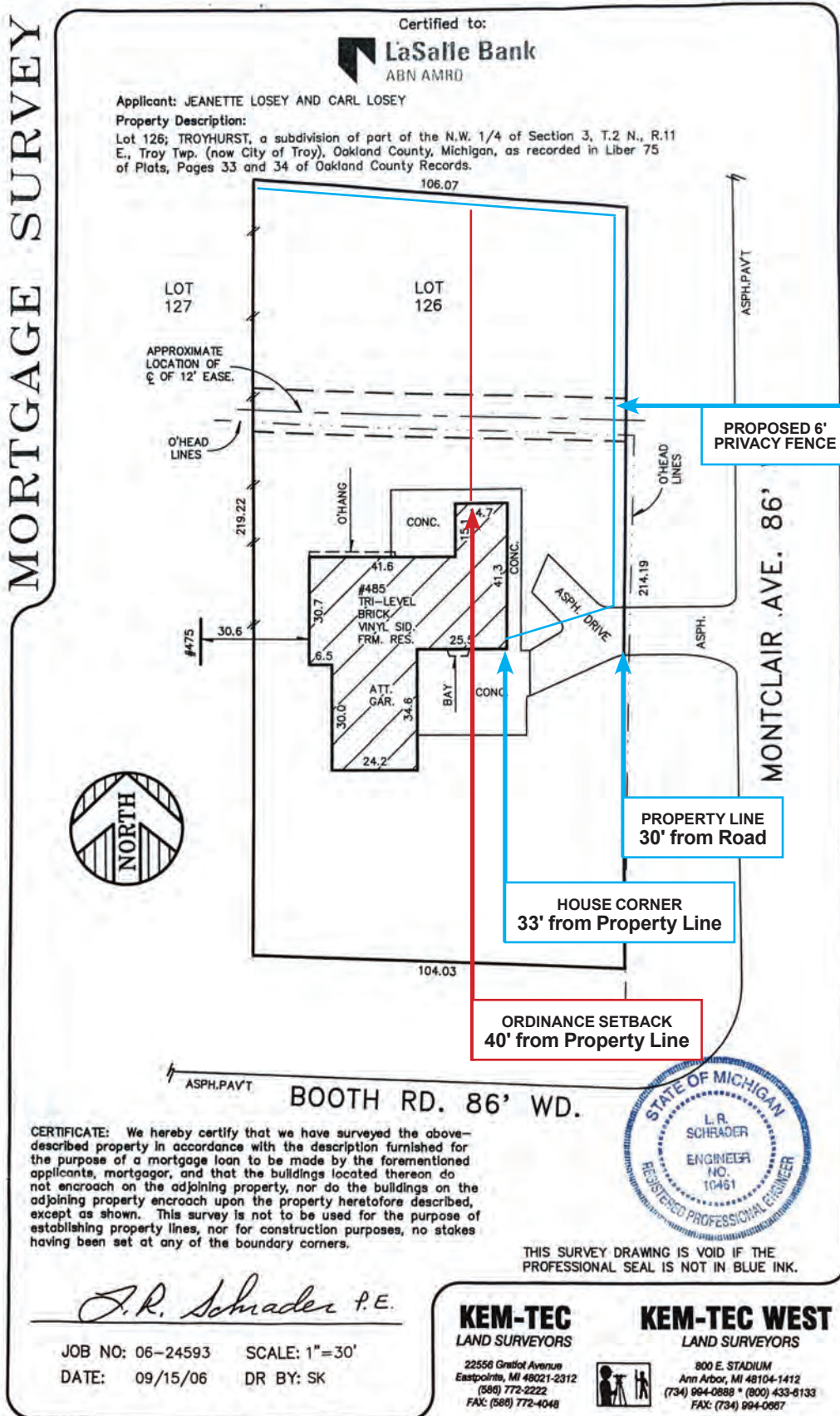
Photo above is looking out to Montclair



Photo above is looking east to Montclair

Property Details – Original Mortgage Survey

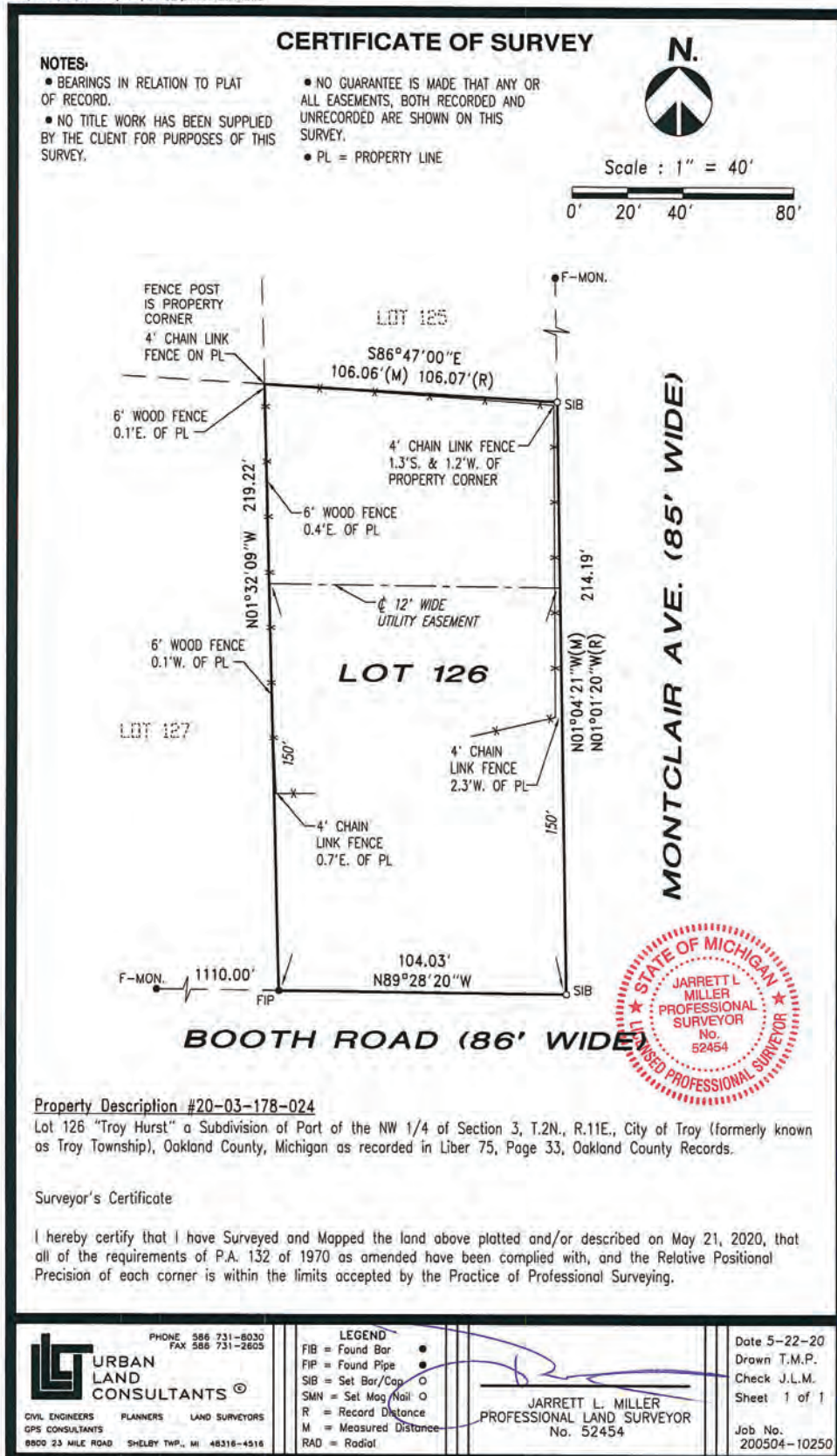
Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Property Details – New Boundary Survey

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024

K:\2020\05\200504\SUR\ACT132\200504SURV.DWG



New survey was obtained in May 2020 to establish actual property corners (stakes were set as well).

Existing Fence Examples

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



238 Carter



238 Carter | Aerial (Before Fence)



239 Lange



239 Lange | Aerial



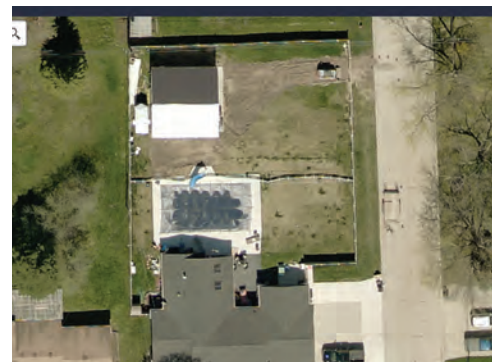
276 Lovell



276 Lovell | Aerial



306 Carter



306 Carter | Aerial

Existing Fence Examples

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



308 Lange



308 Lange | Aerial



494 Lesdale



494 Lesdale | Aerial



1291 Ashley (Variance Granted February 6, 2019)



1291 Ashley | Aerial



1676 Caliper



1676 Caliper | Aerial

Existing Fence Examples

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



2488 Lanergan



2488 Lanergan | Aerial



2825 Bolingbroke



2825 Bolingbroke | Aerial



3216 Newgate



3216 Newgate | Aerial



3308 Newgate



3308 Newgate | Aerial

Existing Fence Examples

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



3550 Upton



3550 Upton | Aerial



5046 Abington



5046 Abington | Aerial



6370 Westaway



6370 Westaway | Aerial



6899 Montclair



6899 Montclair | Aerial

Subdivision Reference

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Booth & Donaldson Facing South: Parked cars regularly in set-back areas due to short driveways.



Donaldson near Lesdale Facing South: Overgrown trees and unkept hedges in the set-back areas.



72 Booth: Privacy fencing typical of neighborhood.



Montclair at Lovell Facing South: Unkept hedges.



Montclair at Lesdale Facing South: Unkept hedges.



Norton Facing North: Brick Posts & Overgrown Trees



Lovell at Norton, Facing West: Overgrown hedges obscure traffic signs.



Montclair at Lesdale, Facing Northwest: Existing structures are common in the front setback.

Neighbor Consent Form

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Photo above depicts the view from 472 Hurst

I, ERIN BRIDGE

am the legal owner of property in Troy located at **472 Hurst**, which is a nearby property to the project address. I am aware that a front setback variance is being requested along Montclair for the installation of a fence. The photo above represents my view of the subject property. According to the homeowner, they are requesting to install a premium 6-foot CertainTeed privacy fence where the existing 4-foot chain link is (within their property boundaries).



☒ I have ~~no objections~~ and I grant my consent for the variance, allowing for a 6-foot privacy fence to be installed where the existing chain link fence is located.

☐ I object to this request. (Note that neighbors are under no obligation to sign).

Erin Bridge
Neighbor Signature

ERIN BRIDGE
Print Name

6/10/2020
Date

Subject to:
① Removal of all chain link fence between 472 E. Hurst & 485 Booth
② Sodding over entire fence drain or filling w/ rock

Neighbor Consent Form

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Photo above depicts the view from 473 Hurst

I, LARRY JONAS
am the legal owner of property in Troy located at **473 Hurst**, which is a nearby property to the project address. I am aware that a front setback variance is being requested along Montclair for the installation of a fence. The photo above represents my view of the subject property. According to the homeowner, they are requesting to install a premium 6-foot CertainTeed privacy fence where the existing 4-foot chain link is (within their property boundaries).



☒ I have no objections and grant my consent for the variance, allowing for a 6-foot privacy fence to be installed where the existing chain link fence is located.

☐ I object to this request. (Note that neighbors are under no obligation to sign).

Larry Jonas
Neighbor Signature

6-7-2020
Date

LARRY JONAS
Print Name

Neighbor Consent Form

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Photo above depicts the view from **6450 Montclair**

I, Kim Plewq

am the legal owner of property in Troy located at **6450 Montclair**, which is a nearby property to the project address. I am aware that a front setback variance is being requested along Montclair for the installation of a fence. The photo above represents my view of the subject property. According to the homeowner, they are requesting to install a premium 6-foot CertainTeed privacy fence where the existing 4-foot chain link is (within their property boundaries).



☒ I have no objections and grant my consent for the variance, allowing for a 6-foot privacy fence to be installed where the existing chain link fence is located.

☐ I object to this request. (Note that neighbors are under no obligation to sign).

Neighbor Signature

Kimberly Plewq

Print Name

Date

6-8-20

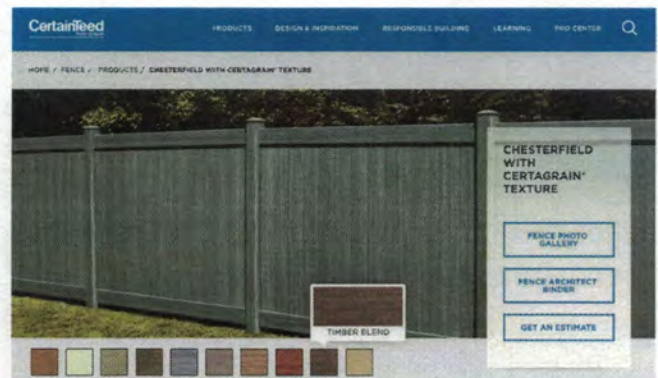
Neighbor Consent Form

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Photo above depicts the view from **6436 Montclair**

I, _____
am the legal owner of property in Troy located at **6436 Montclair**, which is a nearby property to the project address. I am aware that a front setback variance is being requested along Montclair for the installation of a fence. The photo above represents my view of the subject property. According to the homeowner, they are requesting to install a premium 6-foot CertainTeed privacy fence where the existing 4-foot chain link is (within their property boundaries).



NO OBJECTIONS



I have no objections and grant my consent for the variance, allowing for a 6-foot privacy fence to be installed where the existing chain link fence is located.



I object to this request. (Note that neighbors are under no obligation to sign).

OK
Neighbor Signature

POSHK

Date

Print Name

P.M.

Neighbor Consent Form

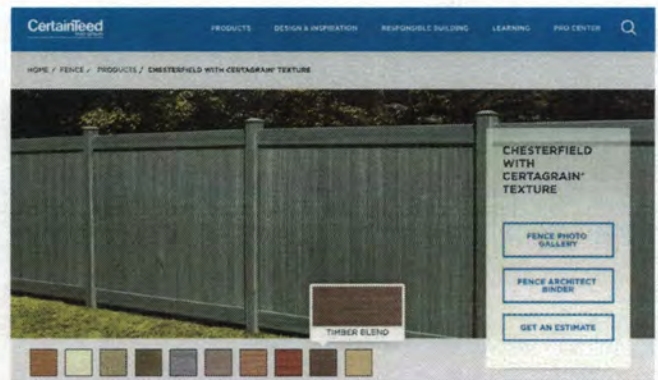
Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Photo above depicts the view from **6422 Montclair**

I, Paul Kile

am the legal owner of property in Troy located at **6422 Montclair**, which is a nearby property to the project address. I am aware that a front setback variance is being requested along Montclair for the installation of a fence. The photo above represents my view of the subject property. According to the homeowner, they are requesting to install a premium 6-foot CertainTeed privacy fence where the existing 4-foot chain link is (within their property boundaries).



- ☒ I have no objections and grant my consent for the variance, allowing for a 6-foot privacy fence to be installed where the existing chain link fence is located.
- ☐ I object to this request. (Note that neighbors are under no obligation to sign).

Neighbor Signature

Date

Print Name

Paul Kile

6.7.2020

Neighbor Consent Form

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Photo above depicts the view from **6408 Montclair**

I, Jay Welch
am the legal owner of property in Troy located at **6408 Montclair**, which is a nearby property to the project address. I am aware that a front setback variance is being requested along Montclair for the installation of a fence. The photo above represents my view of the subject property. According to the homeowner, they are requesting to install a premium 6-foot CertainTeed privacy fence where the existing 4-foot chain link is (within their property boundaries).



☒ I have no objections and grant my consent for the variance, allowing for a 6-foot privacy fence to be installed where the existing chain link fence is located.

☐ I object to this request. (Note that neighbors are under no obligation to sign).

Neighbor Signature

Jay Welch
Jay Welch

6/8/20
Date

Print Name

Neighbor Consent Form

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Photo above depicts the view from 480 Booth

I, Joyce & David Figlar
am the legal owner of property in Troy located
at **480 Booth**, which is a nearby property to the
project address. I am aware that a front setback
variance is being requested along Montclair for the
installation of a fence. The photo above represents
my view of the subject property. According to
the homeowner, they are requesting to install a
premium 6-foot CertainTeed privacy fence where
the existing 4-foot chain link is (within their property
boundaries).



☒ I have no objections and grant my consent for the variance, allowing for a 6-foot
privacy fence to be installed where the existing chain link fence is located.

☐ I object to this request. (Note that neighbors are under no obligation to sign).

Neighbor Signature

Print Name

Date

Joyce Figlar

Joyce A. Figlar

David S. Figlar
2020 John

June 2020

Neighbor Consent Form

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Photo above depicts the view from 444 Booth

I, JOE TURNER
am the legal owner of property in Troy located at **444 Booth**, which is a nearby property to the project address. I am aware that a front setback variance is being requested along Montclair for the installation of a fence. The photo above represents my view of the subject property. According to the homeowner, they are requesting to install a premium 6-foot CertainTeed privacy fence where the existing 4-foot chain link is (within their property boundaries).



- ☒ I have no objections and grant my consent for the variance, allowing for a 6-foot privacy fence to be installed where the existing chain link fence is located.
- ☐ I object to this request. (Note that neighbors are under no obligation to sign).

Neighbor Signature Joe Turner

6 7 20
Date

Print Name JOE TURNER

Neighbor Consent Form

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Photo above depicts the view from 475 Booth

I, Bruce Dow

am the legal owner of property in Troy located at **475 Booth**, which is a nearby property to the project address. I am aware that a front setback variance is being requested along Montclair for the installation of a fence. The photo above represents my view of the subject property. According to the homeowner, they are requesting to install a premium 6-foot CertainTeed privacy fence where the existing 4-foot chain link is (within their property boundaries).



☒ I have no objections and grant my consent for the variance, allowing for a 6-foot privacy fence to be installed where the existing chain link fence is located.

☐ I object to this request. (Note that neighbors are under no obligation to sign).

Bruce Dow

Neighbor Signature

6/7/2020

Date

Bruce Dow

Print Name

Bufftech®

Molded and Extruded Fence Products



CertainTeed
SAINT-GOBAIN

The Bufftech® Advantage

Two innovative product lines under one great brand

Long-lasting beauty, superior performance and the best protection you can get – that’s the Bufftech Advantage. Bufftech fence comes in an array of sophisticated styles, complementary colors and authentic TrueTexture™ finishes along with premium features to ensure it will outlast and outperform the competition. Bufftech also features a superior warranty including ColorLast® fade protection.

Molded Fence

Bufftech has reinvented fence manufacturing with its patented design of rotationally-molded fence, allowing realistic granite-stone and deep-grain wood textures molded from real wood and stone. Molded fence has very high impact-resistance and excellent sound absorption for quiet and secure outdoor living spaces and yards. These extremely durable privacy fences also offer fade-resistant colors and steel-reinforced sections.

Extruded Fence

Bufftech extruded fence is the undisputed leader in style, color and texture. Our innovative textures are molded from real wood and stucco to deliver the most authentic look available today. Fade-resistant colors, high-quality accessories, durable hardware and steel reinforced rails ensure a long-lasting installation. Extruded fence also offers SureStart™ protection, an exclusive CertainTeed benefit covering warranted repair and replacement costs, including labor, for five years after installation.

On Cover:

Allegheny in Beige Granite

Chesterfield CertaGrain® in Arctic Blend with Spindle Accent



Bufftech® Extruded Fence

The Bufftech Advantage starts with details.

Precision Routing assures a clean, realistic look without visible glue or screws.

Heavyweight Pickets provide impact resistance and reduces movement.

Internal Reinforcement limits sagging and maintains a strong and sturdy performance.

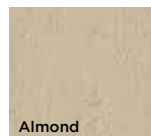
Color and Texture leader featuring four finishes and thirteen colors.

Color & Texture

CertainTeed sets the standard for the latest innovations in sophisticated styling. From our proprietary texturing process to our unique shades and stain blends, CertainTeed is the undisputed leader in color and texture. Our TrueTexture™ finish is molded from real wood and stucco to deliver the most authentic look available today. Benefit from the power to mix and match post and picket colors for a more unique look. Plus, Bufftech is virtually maintenance-free, and never needs

staining or painting. For complete style and color specifications, see page 59.

CertaStucco™



Almond

Smooth



White

Almond

Grey

Natural Clay

Select Cedar



White

Almond

Natural Clay

Weathered Blend

Timber Blend

Frontier Blend

Arbor Blend

Arctic Blend

Brazilian Blend

Sierra Blend

Colors throughout this brochure are simulated.

Consult product color samples before making final selection.

CertaGrain®



White

Almond

Natural Clay

Weathered Blend

Timber Blend

Canyon Blend

Frontier Blend

Arbor Blend

Arctic Blend

Brazilian Blend

Sierra Blend

Honey Blend

Performance

Bufftech's premium features, including high-quality raw materials, reinforced rails, heavyweight pickets, routed rails and fence posts, and concealed fasteners, ensure it will outlast and outperform other vinyl fences.



With exclusive WindZone™ performance, Bufftech fence is engineered for use in high wind and hurricane conditions, as approved by Miami-Dade County NOA #18-0920.04*. Recognized as the most stringent standards in the country, Miami-Dade test protocols include dynamic wind load testing up to 115 mph.



The Bufftech line also meets requirements of the ASTM and includes styles that comply with local codes for swimming pool applications. Check with your local building code official as local codes may vary.

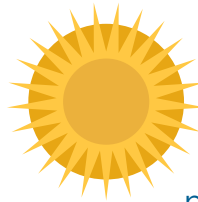


Bufftech panels block 98% of direct sound, with an (STC) sound transmission class of 21, to create quiet spaces.

*Miami-Dade County-approved NOA #18-0920.04, for exceptional performance in high wind conditions. To comply with WindZone Performance, additional items are needed for installation. Please reference our product catalog. Expires 3/13/2024 .

Peace of Mind

CertainTeed stands behind the Bufftech line with an exceptional lifetime limited transferable warranty. SureStart™ protection, an exclusive CertainTeed benefit, covers warranted repair and replacement costs—including labor, for five years after installation.



CertainTeed also guarantees the performance of Bufftech's darker colors and stain blends with our proprietary ColorLast® fade protection, a state-of-the-art acrylic formulation that provides superior protection from the harsh rays of the sun.

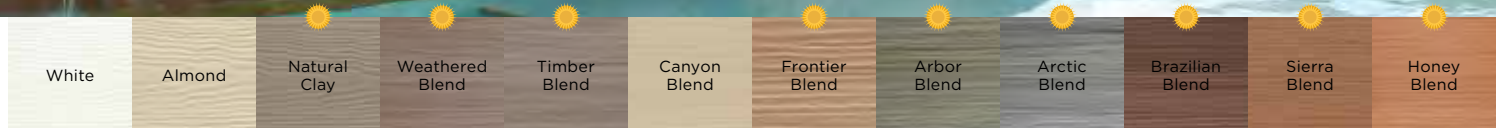


CertainTeed is actively pursuing strategies to reduce our environmental impact, while increasing the sustainability of our operations and products. CertainTeed conducted a Life Cycle Assessment (LCA) that was submitted to the National Institute of Standards and Technology (NIST) and was published in the building product LCA database, BEES (Building for Environmental and Economic Sustainability).



A company you can trust. For more than 100 years, homeowners and building professionals alike have relied on CertainTeed as a trusted source of innovative, high-quality building products. Bufftech® continues this long-standing tradition with its superior fence line, proudly made in the U.S.A.

Chesterfield CertaGrain® Texture



Chesterfield CertaGrain® Texture

Bufftech's authentic woodgrain texture and "multi-chromatic" color blends recreate the natural beauty of stained wood in an easy-to-maintain vinyl design. Top rails in ColorLast® colors feature reinforcement for added strength and durability.

Heights: 4', 5' & 6'

Picket Style: 7/8" x 7" Tongue & Groove

(Canyon Blend and Honey Blend only available for 6' height)
Steel Reinforced Bottom Rail

Cap Styles (shown in Sierra Blend)

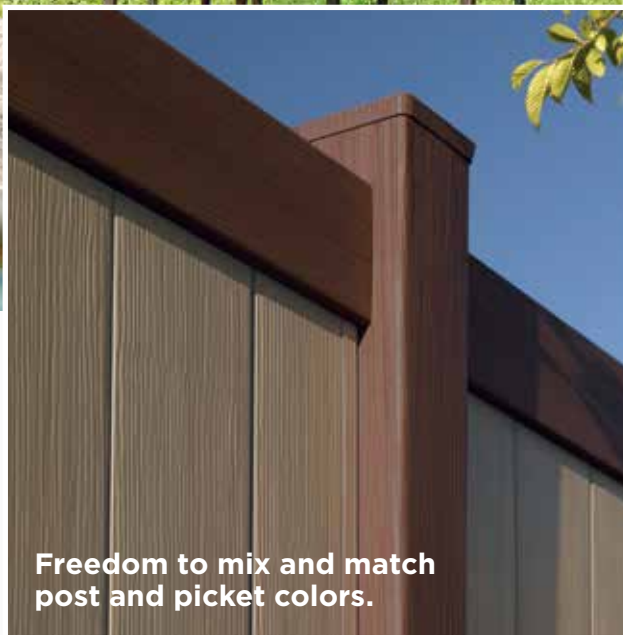


Textured Flat External Internal Textured Flat Top External Textured New England





Chesterfield CertaGrain Texture in Brazilian Blend



**Freedom to mix and match
post and picket colors.**

Chesterfield CertaGrain Texture in contrasting
colors: Brazilian Blend posts and rails with
Frontier Blend pickets.

Colors and Textures Extruded

CertaStucco™



Smooth



Select Cedar



CertaGrain®



Make a Smart Investment

PERFORMANCE FEATURES

Bufftech

Lifetime limited warranty	✓
Transferable warranty*	✓
5-year labor warranty*	✓
Dark color fade warranty	✓
Made in the USA	✓
Never needs painting or staining	✓
Won't chip, peel, crack or splinter	✓
Won't rot or support mold growth	✓
Impervious to termites/wood-boring insects	✓
Lead free	✓
No harmful chemicals	✓
High-quality raw materials	✓
Concealed fasteners	✓
Rigid design	✓
Wide choice of colors	✓
Innovative textures	✓
Steel reinforced rails	✓
Class A rating for flame spread	✓
Self-extinguishing	✓
Easy to assemble	✓
Building code compliant	✓
Meets ASTM standards	✓

*Bufftech extruded only



facebook.com/certainteedCurbAppeal



[YouTube youtube.com/ctCurbAppeal](https://youtube.com/ctCurbAppeal)



CertainTeed Corporation

CEILINGS • DECKING • FENCE • GYPSUM • INSULATION • RAILING • ROOFING • SIDING • TRIM

20 Moores Road Malvern, PA 19355 Professional: 800-233-8990 Consumer: 800-782-8777 certainteed.com

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Neighbor Consent Form

Fence Variance Request for 485 Booth | Parcel: 88-20-03-178-024



Photo above depicts the view from **6390 Montclair**

I, Danielle Favret

am the legal owner of property in Troy located at **6390 Montclair**, which is a nearby property to the project address. I am aware that a front setback variance is being requested along Montclair for the installation of a fence. The photo above represents my view of the subject property. According to the homeowner, they are requesting to install a premium 6-foot CertainTeed privacy fence where the existing 4-foot chain link is (within their property boundaries).



☒ I have no objections and grant my consent for the variance, allowing for a 6-foot privacy fence to be installed where the existing chain link fence is located.

☐ I object to this request. (Note that neighbors are under no obligation to sign).

Neighbor Signature

[Handwritten Signature]

6-8-2020

Date

Print Name

Danielle Favret

From: [Salim Huerta](#)
To: [Jackie Ferencz](#)
Subject: Good to go 1538 Wrenwood Dr
Date: Monday, October 19, 2020 2:15:23 PM
Attachments: [image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)

Jackie, please include this case in the mailings. Brent has approved my narrative.

With this one all my case narratives are done.

Please call me if you have any questions.

Thank you

Sincerely



Salim Huerta
Building Official | City of Troy

O: 248.524.3354

C: 734.363.0823



- A. **VARIANCE REQUEST- Linda Shears, 1538 Wrenwood Dr.** – This property is a double front corner lot. Since it is in the R1-C use district, as such it has 30 feet required front setback along the W Big Beaver required setback from the property line. The petitioner is requesting a variance to install an 8-feet high 80 feet long obscuring wood fence at the back-property line running North to South and two sections that will start at 6 feet high and will increase in height to 8 feet once connecting to the back-lot line fence section. These two fence sections will run from east to west on the side lot lines. The 68 feet east to west section on the W Big Beaver property line, will require a variance that will allow for it to be re-installed at 20 feet from the property line at a 6 feet height.

**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



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: 1538 Wrenwood Dr
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-30-126-001
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 Linda Shears
COMPANY _____
ADDRESS 1538 Wrenwood Dr
CITY Troy STATE MI ZIP 48084
TELEPHONE 248-877-3994
E-MAIL linda@lindashears.com

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: self

8. OWNER OF SUBJECT PROPERTY:

NAME As Above
COMPANY _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
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, _____ (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 _____ DATE 6-09-2020
PRINT NAME: Linda Shears

SIGNATURE OF PROPERTY OWNER _____ DATE 6-09-2020
PRINT NAME: Linda Shears

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.



GIS Online



Legend:

- 1538 WRENWOOD
- 30' SETBACK.
- 6' EXISTING WOOD FENCE
- 6' EXISTING DILAPIDATED WOOD FENCE
- * VARIANCE REQUEST TO 8' HIGH.
- ** TAPERED SECTIONS FROM 8' TO 6' VARIANCE REQUEST.
- * EXISTING DISTANCE OF THE EXISTING FENCE TO THE PROPERTY LINE IS 20'

Notes:

R-1C
30 FEET
SETBACK.

Map Scale: 1=47

Created: October 26, 2020



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.





From: [Salim Huerta](#)
To: [Jackie Ferencz](#)
Subject: Narrative for the BCBA Postcard Mailing for 385 Cotswold
Date: Saturday, October 17, 2020 3:55:17 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

A. VARIANCE REQUEST- Jessica Harrington, 385 Cotswold. – This property is a double front corner lot. Since it is in the R1-B use district, as such it has 40 feet required front setback along both Cotswold Dr. and Folkstone Dr. The petitioner is requesting a variance to install a 4-feet high 144 feet long non-obscuring Aluminum fence where City Code limits fences to 30 inches high due to the fact that there isn't a back to back relationship to the neighboring lot. The total length of fence requested by the petitioner to be permitted by the Building permit is 307 feet, which 163 feet of the fence do not require a variance.

Thank you
Sincerely



Salim Huerta
Building Official | City of Troy
O: 248.524.3354
C: 734.363.0823



**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



FEE \$50

NOTICE TO THE APPLICANT

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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: 385 Cotswold Drive, Troy MI 48085
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-10-127-020 (Parcel ID#)
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 Robert and Jessica Harrington

COMPANY N/A

ADDRESS 385 Cotswold Drive

CITY Troy STATE MI ZIP 48085

TELEPHONE 734-755-6807

E-MAIL jessicachouser@gmail.com

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: Owners

8. OWNER OF SUBJECT PROPERTY:

NAME Robert and Jessica Harrington (same as above)

COMPANY N/A

ADDRESS 385 Cotswold Drive

CITY Troy STATE MI ZIP 48085

TELEPHONE 419-206-2905

E-MAIL robertwharrington@gmail.com

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, Robert and Jessica Harrington (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 

DATE 7/9/2020

PRINT NAME: Jessica C Hauser-Harrington

SIGNATURE OF PROPERTY OWNER 

DATE 7/9/2020

PRINT NAME: Robert W Harrington

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.



GIS Online



Legend:

385 COTSWOLD

— 40' SETBACK

— 4' ALUMINUM FENCE

* BUILDING PERMIT
TOTAL FENCE
IS 367 FEET.

* REQUIRED
VARIANCE
IS FOR 144'

* VARIANCE
IS NOT
REQUIRED
FOR 163 FEET

* OFFSET FROM
PROPERTY
LINE IS 1 FOOT
FROM THE
FOLKSTONE
DR. SIDE

* POOL FENCE

Notes:

R-1B

40 FEET
SETBACK.

Map Scale: 1=47

Created: October 26, 2020



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.



NO
UTLET

385

250

GMC





FENCE PERMIT APPLICATION

CITY OF TROY

DEPARTMENT OF BUILDING INSPECTIONS

500 W. BIG BEAVER ROAD

TROY, MICHIGAN 48084

Phone: 248-524-3344 Fax: 248-689-3120

Check # _____

Date: 7-7-2020

FENCE

Project Information	Job Address: <u>385 cotswood</u> Suite # _____	
	Lot: _____	Subdivision: _____
	Owner: <u>Jessica Harrington</u> Phone: <u>734-755-6807</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>East Side Fence</u> Phone: <u>586-806-0482</u> Fax: <u>586-806-0458</u>	
	Address: <u>22034 Degwindre</u> City: <u>Warren</u> State: <u>MI</u> Zip: <u>48091</u>	
	Email: <u>eastsidefencemi@gmail.com</u>	

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

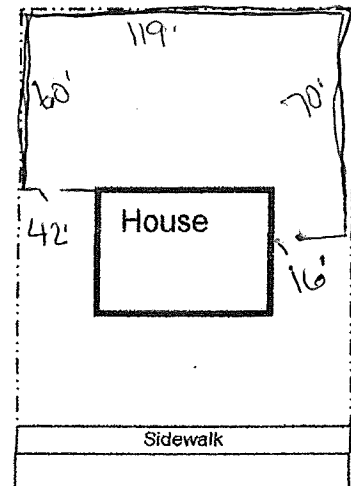
Final lot grade shall be approved before a fence permit is issued.

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	///////	□□□□	Aluminum
HEIGHT					4ft
NO. OF FEET					301'
PERMIT FEE	<input type="checkbox"/> Under 300' \$15.00		<input type="checkbox"/> Over 300' \$25.00		



Interior Lot ☐

Corner Lot ☒

Building Department Approval _____

Section 23a of the state construction code act of 1972, 1972PA 230, MCL 125.1523A, 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 B R
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 _____



Eastside Fence
22034 Dequindre, Warren, MI 48091

RECEIVED
JUL 07 2020
Date: 6-2

22252

Customer Information:

Jessica Harrington
385 Cotswold
Troy, MI
734-755-6807

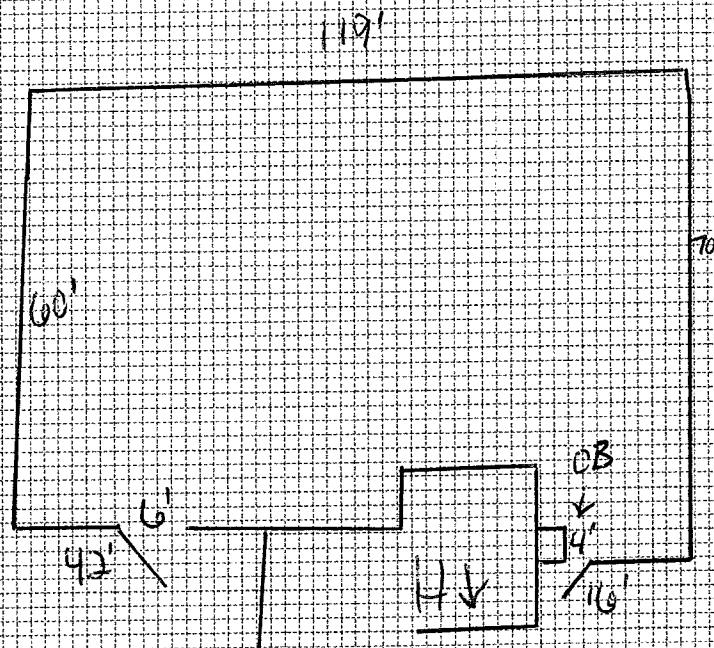
Job Information:

Job Information:
jessicaCHauser@gmail.com

48" Martha Black
Pool code Modified

Associated Shop Drawings:

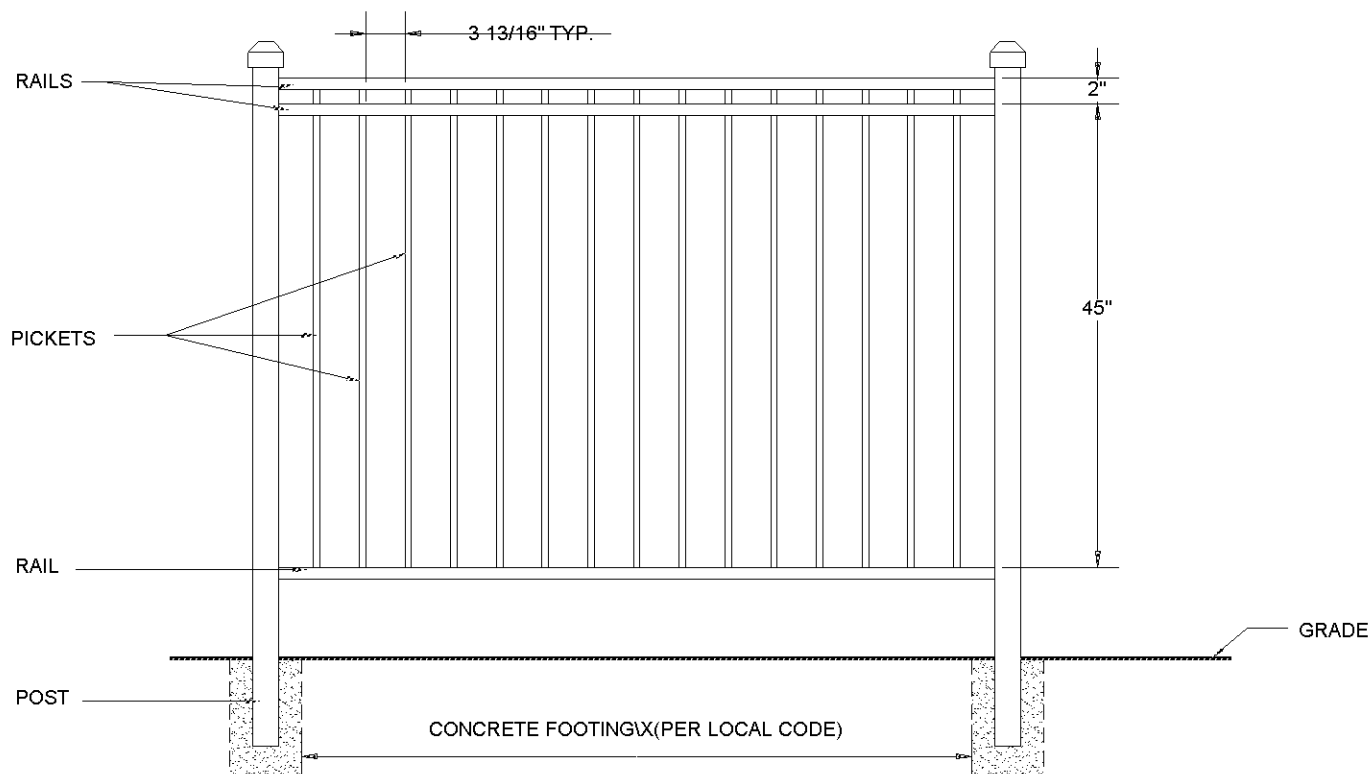
TO HA WD



Work Description: Tear out and haul away 225' of wood fence. Furnish and install 307' of 48" Martha pool code modified with 2-walk gates and one cement break.

1. (a) Eastside shall construct a fence to comply with the above specifications and diagram. (b) Upon request EF will obtain any required Building permit and/or contact MISS DIG. (c) All work performed is warranted to be free from material and workmanship defects for two years after completion. Damage caused by children, pets, abuse, neglect, vandalism, severe weather or acts of God are excluded from this warranty.

4. Client shall make payments to Eastside as follows: Residential: 1/3 deposit 1/3 when posts are set, 1/3 upon rendering of all services specified. Commercial: 1/2 deposit, 1/2 upon rendering of all services specified. PVC fence 1/2 deposit 1/2 upon rendering of all services specified. Deposits become nonrefundable 72 hours after this contract is executed. Interest of seven (7%) percent annually shall be assessed against



MARTHA B.O.C.A.
MODIFIED

SPECIFICATIONS RESIDENTIAL	
POSTS	2"x2"x.060 WALL 2"x2"x.080 WALL 2"x2"x.125 WALL 2 1/2"x2 1/2"x.100 WALL
HORIZONTAL RAILS SIDE WALLS TOP WALLS	1 1/8" x 1" .082" .062"
PICKETS PICKET SPACING	5/8"x5/8"x.045 WALL 3 13/16"
AVAILABLE HEIGHTS	4' ONLY

Fencing Request

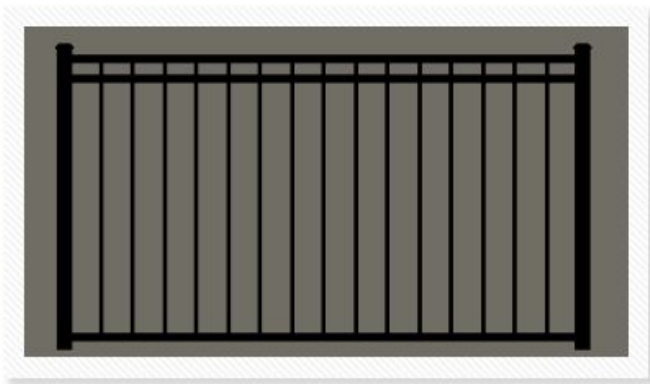
Applicants: Robert and Jessica Harrington

Residence: 385 Cotswold Drive Troy, MI 48085. NE corner of intersection of Folkstone Drive and Cotswold Drive.

Current: Our current wood fence is approximately 42-45 inches high.

Proposed: We would like to install a 4 foot tall aluminum fence. We will also be installing a mesh fence around the pool at the edges of the cement patio. The pool is approximately 18-25 feet from the pool at its closest (the pool is irregularly shaped).

Constructed Materials: Black, prefab aluminum fencing (4 feet tall) 48 inch pool code modified w/ 2 gates (1 gate 6 feet wide, 4 feet tall; second gate 4 feet wide, 4 feet tall) same material as fence.



Martha BOCA Standard

- 5/8" x 5/8" Picket with 3 13/16" Picket Spacing
- 1.15" x 1" Top, Mid and Bottom Rail
- 2" x 2" Post
- Optional Accessories: None
- Available Heights: 48"

Method Of Construction: Contractor

Contractor Info:

Eastside Fence

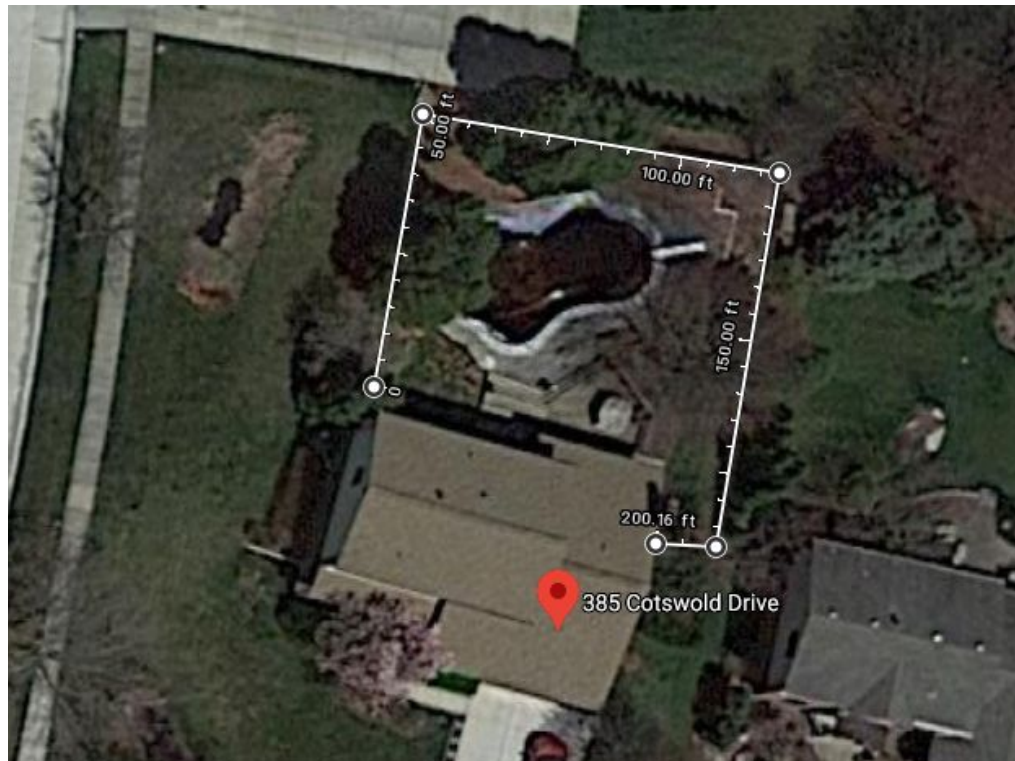
Warren MI

(586) 806 0482

<https://www.eastsidefencemi.com/>

Reason for appeal: We have two small children, ages 4 ½ and 15 months old, and we are requesting the exception to the current fencing regulations in order to provide them a larger, safer area in which to play in our yard. As the current fence stands, there is very little open space in our backyard, and most is around the pool area. By allowing us to extend the fence into the western side of our lot, they will have ample area to play. We also hope to have a dog at some point in the future and a larger fenced in area would also provide a safe place to let a dog out to go to the bathroom and play without worrying about it running away.

Current fence location:



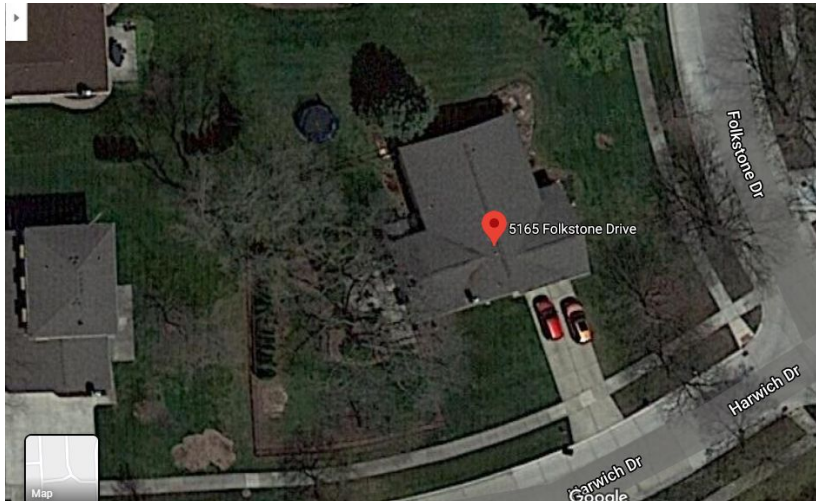
Proposed fence location:



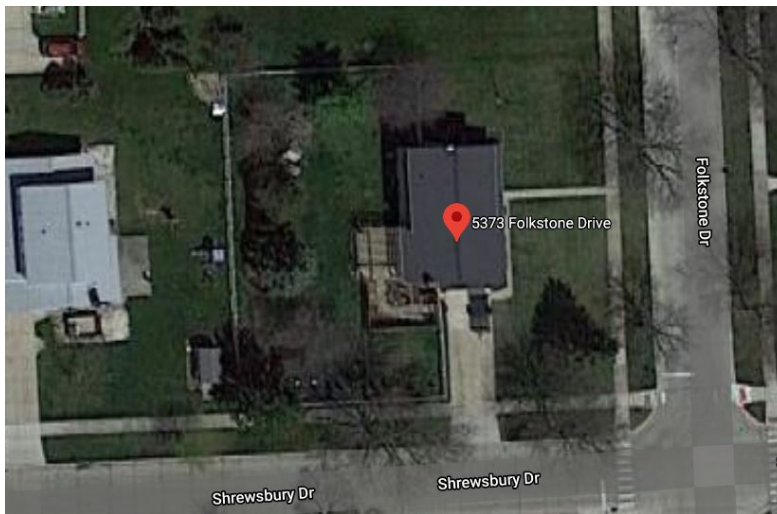
Supporting information:

There are at least two homes in our subdivision (Sylvan Glen) that are corner lots with fences extending to the sidewalk, similar to our request:

5165 Folkstone Drive



5373 Folkstone Drive



From: [Salim Huerta](#)
To: [Jackie Ferencz](#)
Subject: Narrative for the BCBA Postcard Mailing for 4988 Calvert Dr
Date: Sunday, October 18, 2020 1:28:53 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

- A. VARIANCE REQUEST- Karen E. Arnett, 4988 Calvert Dr.** – This property is a double front corner lot. Since it is in the R1-C use district, as such it has a 30 feet required front setback along both East Long Lake Rd. and Calvert Dr. The petitioner is requesting a variance to install a 4-feet high 140 feet non-obscuring metal fence. Setback 17.5 feet from the property line along the East Long Lake Rd. side where City Code limits fences to 30 inches high due to the fact that there isn't a back to back relationship to the neighboring lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 140 feet, which all 140 feet of the fence require a variance.
At that location the East Long Lake Rd. is 120 feet R.O.W.

Thank you
Sincerely



Salim Huerta
Building Official | City of Troy
O: 248.524.3354
C: 734.363.0823



**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



FEE \$50

NOTICE TO THE APPLICANT

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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: 4988 Calvert Dr.
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): Account Number 3820470
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 Karen E. Arnett
COMPANY _____
ADDRESS 4988 Calvert Dr.
CITY Troy STATE MI ZIP 48085
TELEPHONE 248-928-1255
E-MAIL karenearnett@gmail.com

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: Same


8. OWNER OF SUBJECT PROPERTY:


NAME Karen E. Arnett
COMPANY _____
ADDRESS 4988 Calvert Dr.
CITY Troy STATE MI ZIP 48085
TELEPHONE 248-928-1255
E-MAIL karenearnett@gmail.com

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, Karen E. Arnett (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  DATE 7/21/2020
PRINT NAME: Karen E Arnett

SIGNATURE OF PROPERTY OWNER  DATE 7/21/2020
PRINT NAME: Karen E. Arnett

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.



4988 CALVERT
 — 30' SETBACK
 — 4' ALUMINUM
 FENCE
 — GATE #1
 5 FEET

* BUILDING
PERMIT TOTAL
FENCE 140 FEET

*REQUIRED
VARIANCE IS
140 FEET

* OFFSET FROM
PROPERTY
LINE IS
17.5 FEET
FROM THE
E LONG LAKE
SIDE.

R-1C
30 FEET
SETBACK.

Map Scale: 1=47
Created: October 26, 2020



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.







E Long Lake Rd

E Long Lake Rd

E Long Lake Rd

E Long Lake Rd

E Long Lake Rd

E Long Lake Rd

Calvert Dr

Calvert Dr

Calvert Dr

Calvert Dr

Calvert Dr

Calvert Dr

Calvert Dr

Google

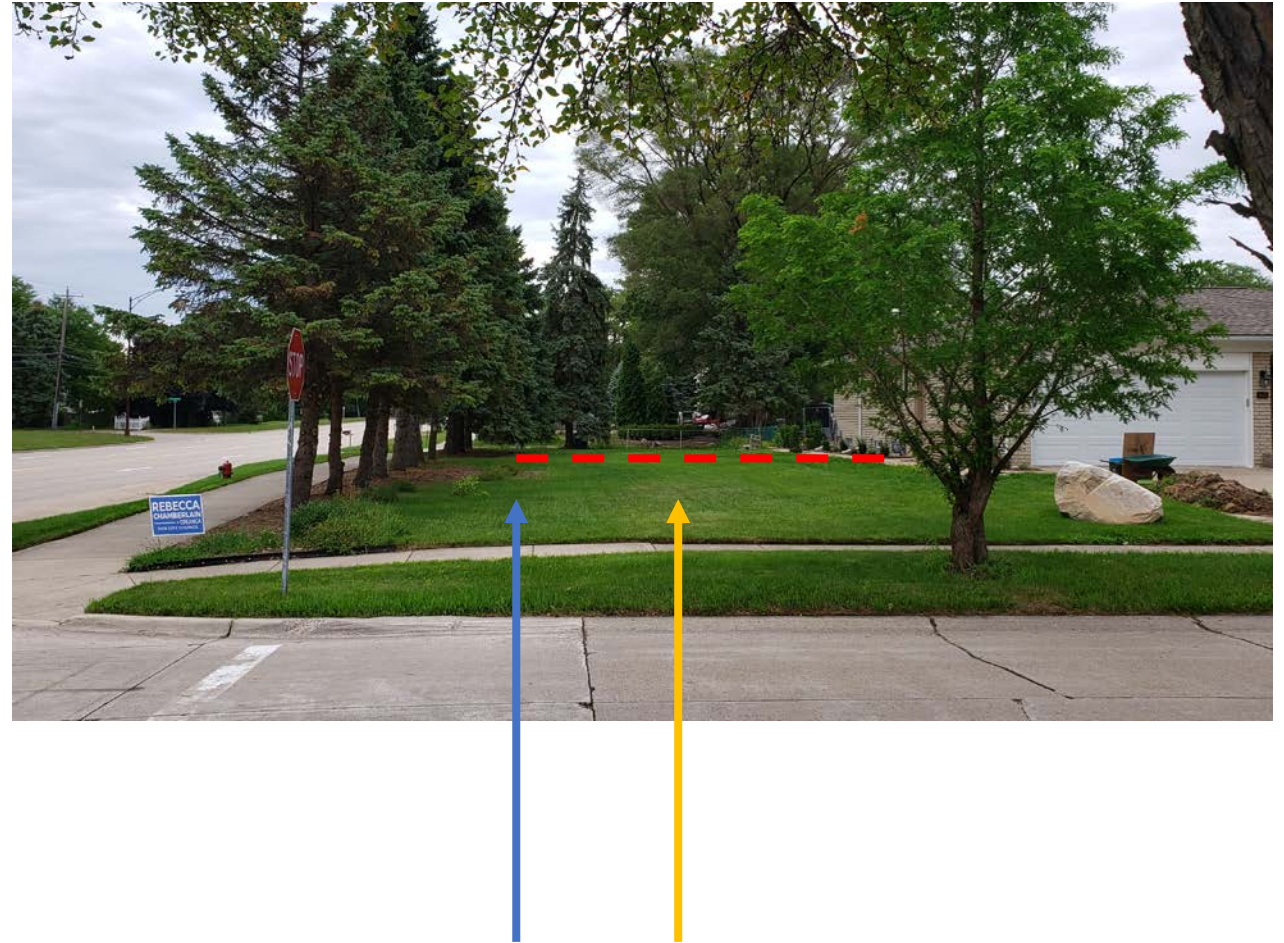
4988 Calvert Dr. Proposed Fence

- 4ft non view obstruction fence (like picture)
- 47 ft from sidewalk off Calvert Dr.
- 17.5 fee off sidewalk on Long lake (on the south side of the pine trees)
- 104 to the back of the property
- To go into the house 2 ft before garage door
- 5 ft gate at walk on side of house
- Similar to the fence currently $\frac{1}{4}$ west on long lake and the corner of Allison Dr (5245 Allison Dr.)



4988 Calvert Dr. Explanation of Variance

- Regulation is 31' from sidewalk on Long Lake, this is shown by yellow arrow. Requested is 17.5' from Sidewalk at Long Lake, shown by blue arrow.
- Red dashed line is where the fence will set horizontally on the property, about two feet in front of garage side door.
- The requested fence placement is for ease of maintenance, as north of the fence to the sidewalk will be mulch and the inside (south) side of the fence will be lawn.
- Since the fence is non view inhibiting this does not pose any safety concerns.





FENCE PERMIT APPLICATION

CITY OF TROY

DEPARTMENT OF BUILDING INSPECTIONS

500 W. BIG BEAVER ROAD

TROY, MICHIGAN 48084

Phone: 248-524-3344 Fax: 248-689-3120

Check # _____

www.troymi.gov

Date: July 6, 2020

FENCE

Project Information	Job Address: <u>4988 Calvert Drive</u> Suite # _____
	Lot: <u>1</u> Subdivision: <u>Long Lake Village</u>
Applicant Information	Owner: <u>Karen E. Arnett</u> Phone: <u>248 928 1225</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.
	Name: <u>Karen E. Arnett</u> Phone: <u>248 928 1255</u> Fax: _____
	Address: <u>4988 Calvert Dr.</u> City: <u>Troy</u> State: <u>MI</u> Zip: <u>48085</u>
	Email: <u>karenearnett@gmail.com</u>

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

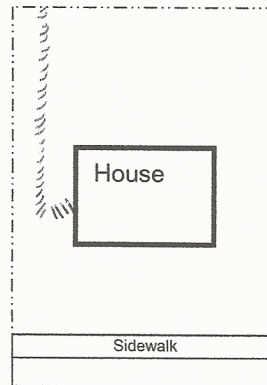
Final lot grade shall be approved before a fence permit is issued.

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	///////	□□□□	-----
HEIGHT			4		
NO. OF FEET			140		
PERMIT FEE	<input type="checkbox"/> Under 300' \$15.00		<input type="checkbox"/> Over 300' \$25.00		



Interior Lot ☐

Corner Lot ☒

Building Department Approval _____

Section 23a of the state construction code act of 1972, 1972PA 230, MCL 125.1523A, 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 Karen E Arnett
Homeowner's signature indicates compliance with homeowner's affidavit

Homeowner Affidavit

I herby 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 _____

REVISED 06/2017

Specializing In
Aluminum, PVC Vinyl, Wood,
Wrought Iron, Chain Link
Custom Gates of All Kinds
& Repairs



Phone: 586-806-0482
Fax: 586-806-0458
eastsidefence.com

Date: 6-26-2020

PROPOSAL

Customer Information:

Kevin Dougher

4988 Calvert Dr

Troy, MI

623-414-0965

Job Information:

KDOUGHER1@GXL.NET

General Specifications:

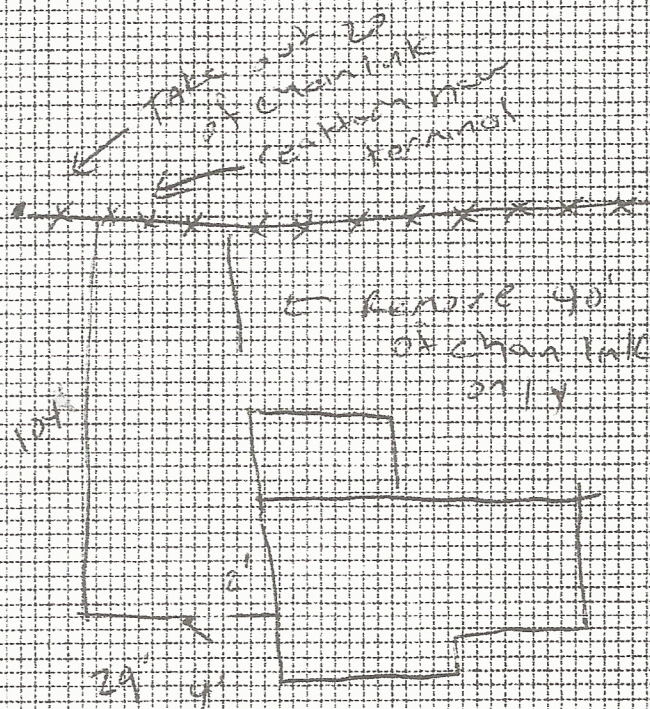
Northo 4"
Black

17.5
ft

Associated Shop Drawings:

5' walk gate

can be made



Work Description:

tear out and haul away 60' of chain link set new
chain link terminal post and reattach existing. Furnish and
install 134' of 4\"/>



4988 Calvert Dr. Proposed Fence

- 4ft non view obstruction fence (like picture)
- 47 ft from sidewalk off Calvert Dr.
- 17.5 fee off sidewalk on Long lake (on the south side of the pine trees)
- 104 to the back of the property
- To go into the house 2 ft before garage door
- 5 ft gate at walk on side of house
- Similar to the fence currently ¼ west on long lake and the corner of Allison Dr (5245 Allison Dr.)



From: [Salim Huerta](#)
To: [Jackie Ferencz](#)
Subject: Narrative for the BCBA Postcard Mailing for 2949 Vineyards Dr
Date: Saturday, October 17, 2020 11:57:01 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

- A. **VARIANCE REQUEST- Steven Rockoff, 2949 Vineyards Dr.** – This property is a double front corner lot. Since it is in the R1-A use district, as such it has a 40 feet required front setback along both Vineyards Dr. (East-West) and Vineyards Dr. (North-South section). The petitioner is requesting a variance to install a 5-foot high 70 feet long non-obscuring metal fence set back 21.5 feet from the property line along Vineyards Dr. (North-South section) where City Code limits fences to 30 inches high due to the fact that there isn't a back to back relationship to the neighboring rear lot. The total length of fence requested by the petitioner to be permitted by the Building Department is 218.56 feet, which 148.56 feet of the fence will not require a variance.

Thank you
Sincerely



Salim Huerta
Building Official | City of Troy
O: 248.524.3354
C: 734.363.0823
A row of five social media icons: Facebook, Instagram, Twitter, YouTube, and LinkedIn.

**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



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: 2949 Vineyards Dr
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): Parcel ID 882007351037
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 Steven Rockoff

COMPANY _____

ADDRESS 2949 Vineyards

CITY Troy STATE Mi ZIP 48098

TELEPHONE 412-951-7222

E-MAIL erdoc6@yahoo.com

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: Same

8. OWNER OF SUBJECT PROPERTY:

NAME Steve Rockoff

COMPANY _____

ADDRESS 2949 Vineyards

CITY Troy STATE Mi ZIP 48098

TELEPHONE 412-951-7222

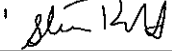
E-MAIL erdoc6@yahoo.com

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.

Steven Rockoff

I, _____ (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  DATE 7/29/20

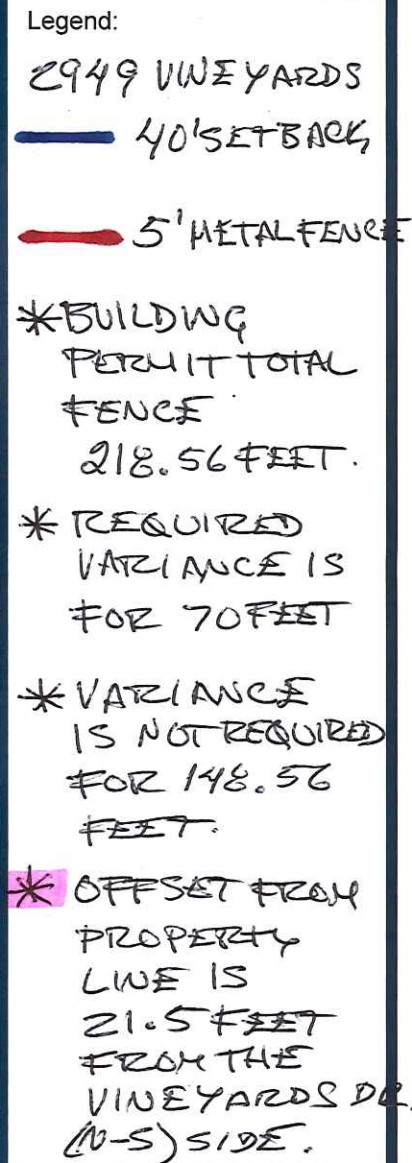
PRINT NAME: _____

SIGNATURE OF PROPERTY OWNER  DATE 7/29/20

PRINT NAME: Steve Rockoff

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.



R-1A
40 FEET
SETBACK.

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.





6/24/20

Dana and Marissa

Troy Building Code Division

Please find enclosed a fence proposal for the property located at 2949 Vineyards Drive in Troy.

To ensure safety, we are requesting approval for fencing to be constructed around the backyard of 2949 Vineyards Drive. Our property has a pool structure with inground pool that was added to the original home in 2007 by previous owners. During the spring and summer months, the structure becomes dangerously hot and humid, and the ground level windows must be opened and the doors removed to utilize the pool. We recognize that this essentially renders this an outdoor pool per Troy Inspector Dana, and that preventing people and animals from gaining access to the now "open unsecured" inground pool is critical. Safety is our number one priority.

A proposal made by Action Fence is enclosed, as are photos of the preexisting fence on the east side of the property. We would like to replace this with an aluminum pool code fence.

Unfortunately, our children's play structure occupies the majority of the small backyard area and we would not be able to put a fence through the current play structure.

Our plan would be to replace the existing fence along the east side and place new fencing along the south and west sides of the property. The east side fence in front of the play structure and behind the tree line would ensure the safety of our two young children in their backyard which is adjacent to the street, shielding them from the vehicles that pass the area. The south and west side fencing would prevent animals and people from accidentally wandering into the opened pool area. Naturally, the surrounding area is tree lined so the fence will be relatively inconspicuous.

Thank you so much for your assistance. Please feel free to contact me anytime if you have questions or need clarification.

Steve Rockoff
2949 Vineyards Drive
Troy, MI 48098
412-951-7222



SMALL BACK YARD PRIOR TO PLAY STRUCTURE



BACK YARD WITH PLAY STRUCTURE FENCING TO BE BUILT BEHIND EXISITING TREE LINES





Original current Fence on NORTH EAST side of property prior to our purchase in 2017



FENCE TO GO BEHIND SECOND SET OF TREES AND BEHIND SHRUBS



FENCE TO BE behind SECOND SET OF tree lines on EAST side of property







BACK YARD WITH PLAY Structure



Two young children playing on play set in backyard are in dangerously close proximity to the adjacent street (Vineyards Court).



Animals such as deer, wild turkey, rabbits, and neighbors' cats all have been observed near the pool structure .





FENCE PERMIT APPLICATION

CITY OF TROY

DEPARTMENT OF BUILDING INSPECTIONS

500 W. BIG BEAVER ROAD

TROY, MICHIGAN 48084

Phone: 248-524-3344 Fax: 248-689-3120

Check # _____

www.troymi.gov

Date: 6/24/20

FENCE

Project Information	Job Address: <u>2949 VINEYARDS DR</u>	Suite # _____
	Lot: <u>20</u> Subdivision: <u>BAILLEYS VINEYARDS</u>	
	Owner: <u>STEVEN ROCKOFF</u>	Phone: <u>412-951-7222</u>
	Work to be Performed: <input type="checkbox"/> New <input type="checkbox"/> Move <input type="checkbox"/> Repair <input type="checkbox"/> Res. <input type="checkbox"/> Comm. <input type="checkbox"/> Ind.	
Applicant Information	Name: <u>STEVEN ROCKOFF</u>	Phone: <u>412-951-7222</u> Fax: _____
	Address: <u>2949 VINEYARDS DR</u>	City: <u>TROY</u> State: <u>MI</u> Zip: <u>48098</u>
	Email: <u>erdoc6@yahoo.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	///////	□□□□	-----
HEIGHT			<u>5</u>		
NO. OF FEET			<u>239</u>		
PERMIT FEE	<input checked="" type="checkbox"/> Under 300' \$15.00		<input type="checkbox"/> Over 300' \$25.00		

Interior Lot ☐

Corner Lot ☒

Building Department Approval _____

Section 23a of the state construction code act of 1972, 1972PA 230, MCL 125.1523A, 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 _____

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 _____

From: [Salim Huerta](#)
To: [Jackie Ferencz](#)
Subject: Narrative for the BCBA Postcard Mailing for 2374 Cumberland Dr.
Date: Saturday, October 17, 2020 7:58:05 PM
Attachments: [image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)
[image018.png](#)

A. VARIANCE REQUEST- Anthony J. Podsiadlik, 2374 Cumberland Dr. –

This property is a double front corner lot. Since it is in the R1-C use district, as such it has a 30 feet required front setback along both Cumberland Dr. and Greensboro Dr. The petitioner is requesting a variance to install a 6-foot high 112 feet long Vinyl privacy fence. Setback 5 feet from the property line along the Greensboro Dr. side where the City Code limits fences to a 48 inches height due to the back to back relationship to the neighboring lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 231 feet, which 119 feet of the fence do not require a variance.

Thank you
Sincerely



Salim Huerta
Building Official | City of Troy
O: 248.524.3354
C: 734.363.0823



**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



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: 2374 Cumberland Dr, Troy, MI 48085

ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*

2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-13-328-009

3. CODE NAME (e.g. "BUILDING CODE", "SIGN CODE", "FENCE CODE") AND SECTION(S) RELATED TO THE APPEAL:

Fence Code - Title VIII - Chapter 83 Fences - Section 2(A)

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 Anthony J. Podsiadlik

COMPANY N/A

ADDRESS 2374 Cumberland Dr

CITY Troy STATE MI ZIP 48085

TELEPHONE 586-747-0857 cell

E-MAIL tpodsiadlik@wowway.com

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: Same

8. OWNER OF SUBJECT PROPERTY:

NAME Anthony J. Podsiadlik

COMPANY N/A

ADDRESS 2374 Cumberland Dr

CITY Troy STATE MI ZIP 48085

TELEPHONE 586-747-0857 cell

E-MAIL tpodsiadlik@wowway.com

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, Anthony J. Podsiadlik (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 Anthony J. Podsiadlik DATE 08/27/2020

PRINT NAME: Anthony J. Podsiadlik

SIGNATURE OF PROPERTY OWNER Anthony J. Podsiadlik DATE 08/27/2020

PRINT NAME: Anthony J. Podsiadlik

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.

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

ATTACHMENT

ITEM 4 - REASONS FOR APPEAL/VARIANCE

2374 Cumberland Drive - Anthony J. Podsiadlik

Please consider this request for appeal/variance in conjunction with the similar request from Michael Sawyers, 2385 Hillcrescent Dr. We are immediately-adjacent rear-facing neighbors and have planned this fence project together to share effort and cost.

I respectfully request a variance for constructing a 6-foot vinyl privacy fence on my corner lot located at the corner of Cumberland Dr (running E-W) and Greensboro Dr (running N-S). My house faces north, please see the attached aerial diagrams.

Specifically, I request a 5-foot offset from the sidewalk for a 6-foot fence.

My wife and I have three school-age children and recently bought our first dog.

The City Code (Title VIII, Chapter 83 Fences, Section 2(A)) requires a 4-foot fence along the street line. Or, for a 6-foot fence, I have been informed a 30-ft offset from the sidewalk is required without a variance.

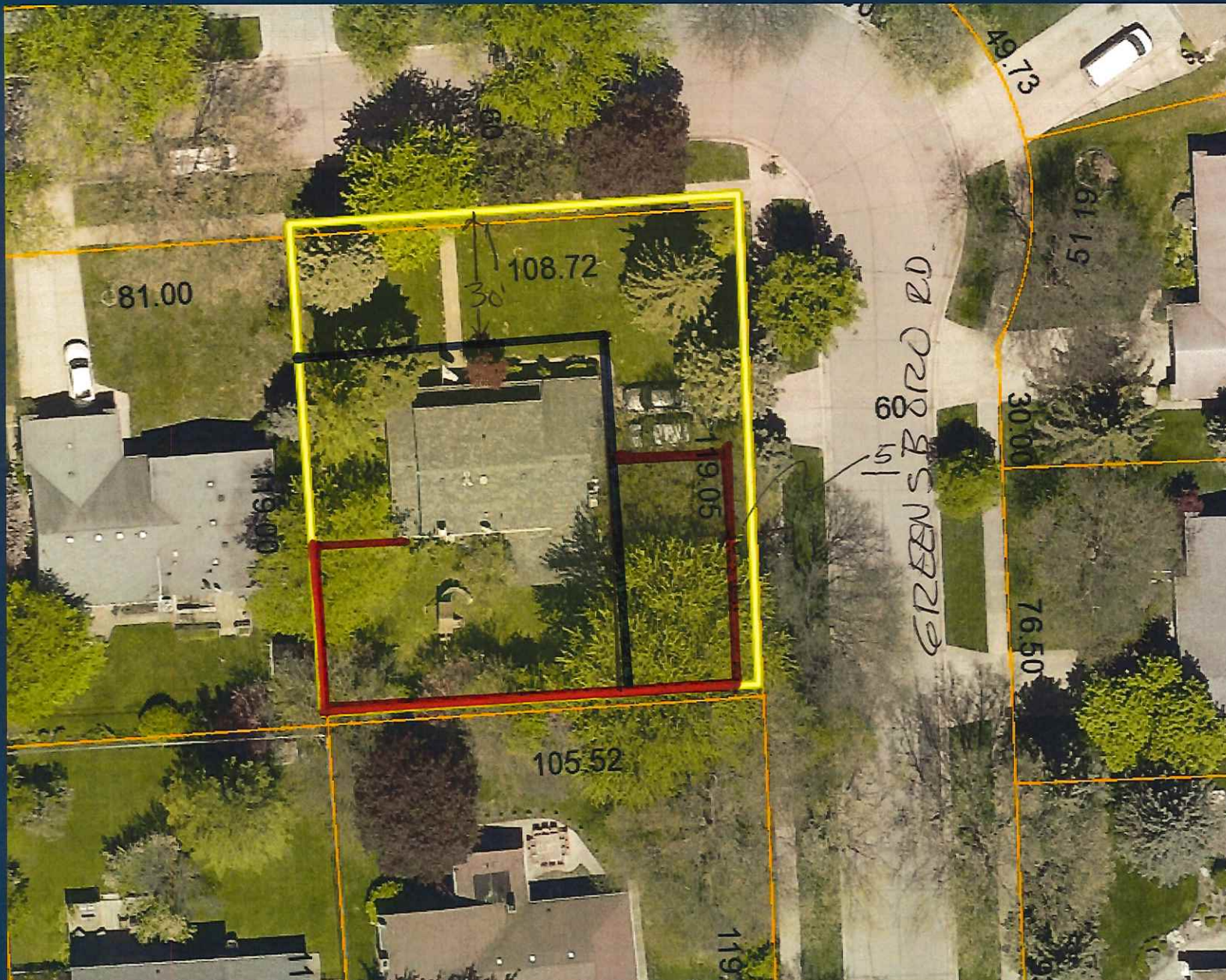
I have three school-age children in my home and recently purchased our first dog.

A 4-foot fence along the side does not provide any privacy necessary for quiet enjoyment of our back yard, whereas six-foot fences DO provide privacy. A highly-walked sidewalk (along Greensboro Dr) is immediately adjacent to my back yard, please see attached diagram. A 4-foot fence merely prevents some (not all) animals and people from entering or leaving a back yard. This has become more of a concern lately as the sidewalk is often used by neighbors walking with their own dogs; my dog is small, an approximately 15-pound "puggle" (a pug-beagle mix). Many other dogs are much larger than my dog which creates a safety risk for my dog.

Additionally, requiring a 30-foot set-off from the sidewalk would greatly impair the use of my backyard including space for children and family pet to run and play, cutting it nearly in half. However, a 5-foot set-off from the sidewalk maintains the backyard space and safety for my family and pet while allowing safe line-of-sight for drivers. Finally, I am not requesting that a fence parallel to Greensboro Dr would extend past my driveway (which connects to Greensboro Dr), which again allows for a safe line-of-sight for drivers traveling either north on Greensboro or east on Cumberland.



GIS Online



Legend:

2374 CUMBERLAND

— 30' SETBACK

— 6' VINYL FENCE

* BUILDING PERMIT TOTAL FENCE IS 231 FEET.

* REQUIRED VARIANCE IS 112 FEET.

* VARIANCE IS NOT REQUIRED FOR 119 FEET

* OFFSET FROM PROPERTY LINE IS 5 FEET AT THE GREENSBORO RD. SIDE

Notes:

* CONJUNCTION WITH 2385 HILLCREST E-1C 30 FEET.

Map Scale: 1=47

Created: October 26, 2020



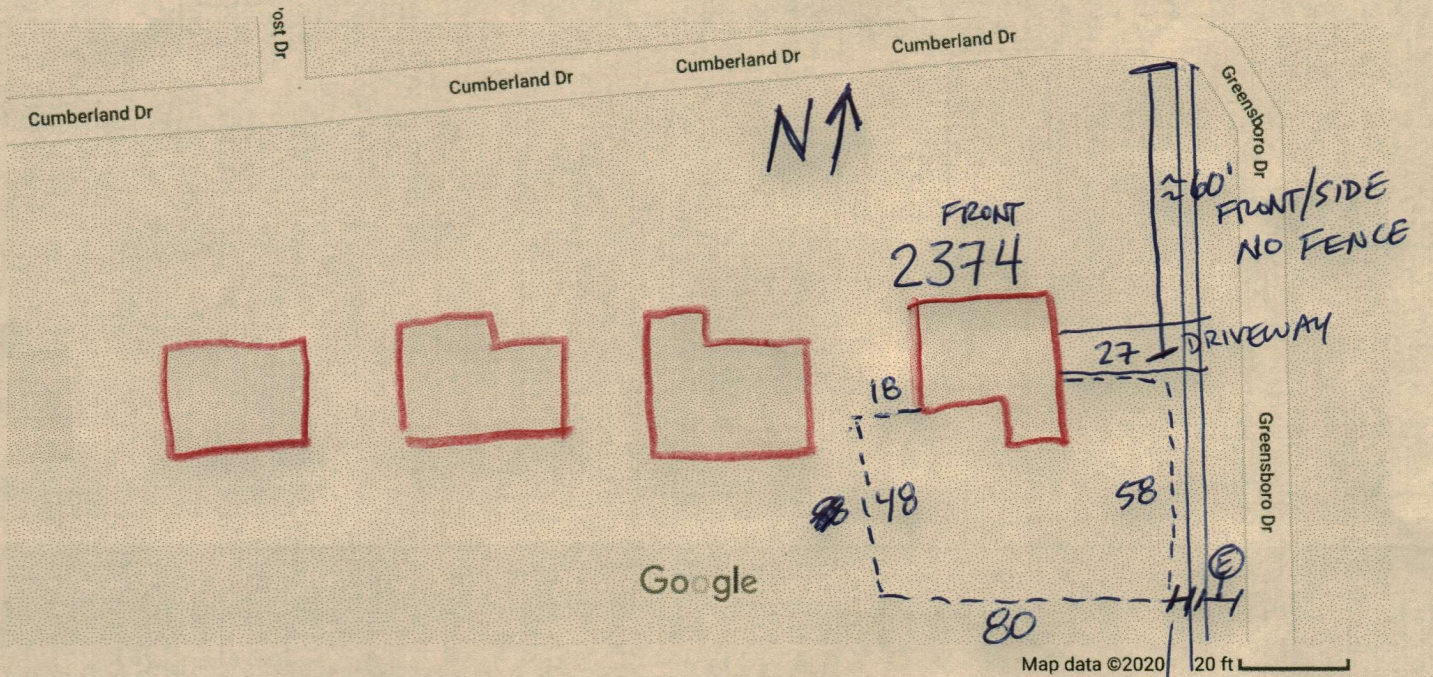
Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.





Google Maps

2374 Cumberland Dr - Podsiadlik - Fence Permit Application - August 19, 2020



⑤ EASEMENT
BETWEEN
SIDEWALK AND
GREENSBORO DR



FENCE PERMIT APPLICATION

CITY OF TROY

DEPARTMENT OF BUILDING INSPECTIONS
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084
Phone: 248-524-3344 Fax: 248-689-3120

Check # _____

FENCE

www.troymi.gov

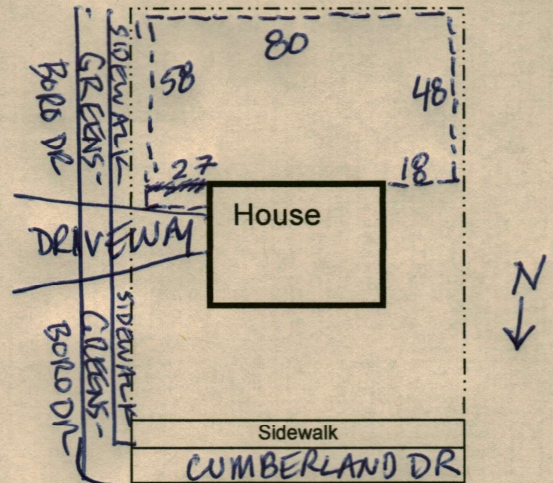
Date: AUGUST 18, 2020

Project Information	Job Address: <u>2374 CUMBERLAND DR</u> Suite # _____
	Lot: _____ Subdivision: <u>MT VERNON</u>
	Owner: <u>ANTHONY J. PODSIADLIK</u> Phone: <u>586 747 0857</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>ANTHONY J. PODSIADLIK</u> Phone: <u>586 747 0857</u> Fax: _____
	Address: <u>2374 CUMBERLAND DR</u> City: <u>TROY</u> State: <u>MI</u> Zip: <u>48085</u>
	Email: <u>TPODSIADLIK@WOWWAY.COM</u>
	<input type="checkbox"/> Registration - \$10 (Due after 5/31 of each year)

☐ 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 <u>VINYL</u>
Symbols:	000000	xxxxx	///////	□□□□	-----
HEIGHT					<u>6 FT</u>
NO. OF FEET					<u>231</u>
PERMIT FEE	<input checked="" type="checkbox"/> Under 300' \$15.00		<input type="checkbox"/> Over 300' \$25.00		



Interior Lot ☐
Corner Lot ☒
Building Department Approval _____

Section 23a of the state construction code act of 1972, 1972PA 230, MCL 125.1523A, 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 Anthony J. Podsiadlik
Homeowner's signature indicates compliance with homeowner's affidavit

Homeowner Affidavit

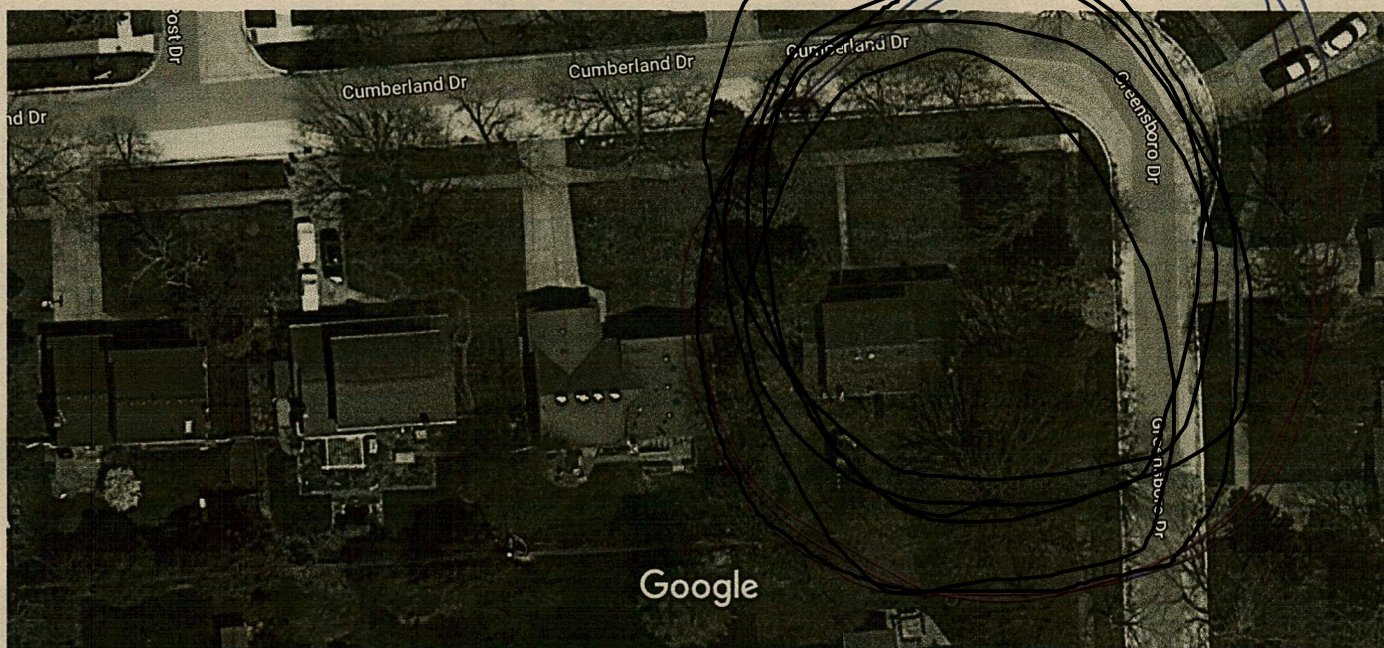
I hereby certify that the fencing described on this permit application shall be installed by myself in my own home in which I am living or about to occupy. All work shall be installed in accordance with the Chapter 83 of the Troy City Ordinance. I will cooperate with the Building Inspector and assume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

Google Maps 2374 Cumberland Dr 48085



Map data ©2020, Map data ©2020 20 ft

N ↑ AERIAL

2374 CUMBERLAND DR

PODSIADLIK

From: [Salim Huerta](#)
To: [Jackie Ferencz](#)
Subject: Narrative for the BCBA Postcard Mailing for 2718 Renshaw Dr
Date: Sunday, October 18, 2020 2:47:37 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

- A. **VARIANCE REQUEST- Katherine Pawlowski, 2718 Renshaw Dr.** – This property is a double front corner lot. Since it is in the R1-C use district, as such it has 30 feet required front setback along both Renshaw Dr. and Argyle Dr. The petitioner is requesting a variance to install a 4-feet high 150 feet non-obscuring aluminum fence. Setback 1 foot from the property line along the Argyle Dr side where City Code limits fences to 30 inches high due to the fact that there isn't a back to back relationship to the neighboring lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 233 feet, which 83 feet of the fence do not require a variance.

Thank you
Sincerely



Salim Huerta
Building Official | City of Troy
O: 248.524.3354
C: 734.363.0823



**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



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: 2718 Renshaw Dr, Troy, MI 48085

ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*

2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-13-277-003

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 Katherine Pawlowski

COMPANY _____

ADDRESS 2718 Renshaw Dr

CITY Troy STATE MI ZIP 48085

TELEPHONE 248-720-9603

E-MAIL kateannpawlowski@gmail.com

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: Self

8. OWNER OF SUBJECT PROPERTY:

NAME Same

COMPANY _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

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, Katherine Pawlowski (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 Katherine Pawlowski Digitally signed by Katherine Pawlowski
DN: cn=Katherine Pawlowski, o=ou,
email=kateannpawlowski@gmail.com, c=US
Date: 2020.09.16 09:36:49 -0400 DATE 09/16/2020

PRINT NAME: Katherine Pawlowski

SIGNATURE OF PROPERTY OWNER Katherine Pawlowski Digitally signed by Katherine Pawlowski
DN: cn=Katherine Pawlowski, o=ou,
email=kateannpawlowski@gmail.com, c=US
Date: 2020.09.16 09:36:53 -0400 DATE 09/16/2020

PRINT NAME: Katherine Pawlowski

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.



GIS Online



Legend:

Tax Parcel

2718 RENSRAW
DR.

SETBACK
30 FEET.

FENCE 4'
(ALUMINUM)

GATE 1-4'

GATE 2-5'

* TOTAL:
FENCE + GATES
IS: 233 FEET

* REQUIRED
VARIANCE FOR:
150 FEET

* VARIANCE NOT
REQUIRED FOR:
83 FEET

* OFFSET FROM
PROPERTY
LINE IS 1 FOOT.

Notes:

R1-C
30 FEET SETBACK

Map Scale: 1=47

Created: October 23, 2020



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.







Fencing Quote/Specification

Home Depot License #'s - For the most current listing visit www.Homedepot.com/LicenseNumbers

David Lanz

Salesperson Name

2105218410

Registration # (Req. in CA,CT,ME,MD,MI,NJ,DC)

PAWLOWSKI

Customer Last Name

KKATE

Customer First Name

2727

Store # / Branch Name

1-127084080644

Customer Lead/ PO#

2718 RENSHAW DRIVE

Customer Address

TROY

City

MI

State

48085

Zip

248-720-9603

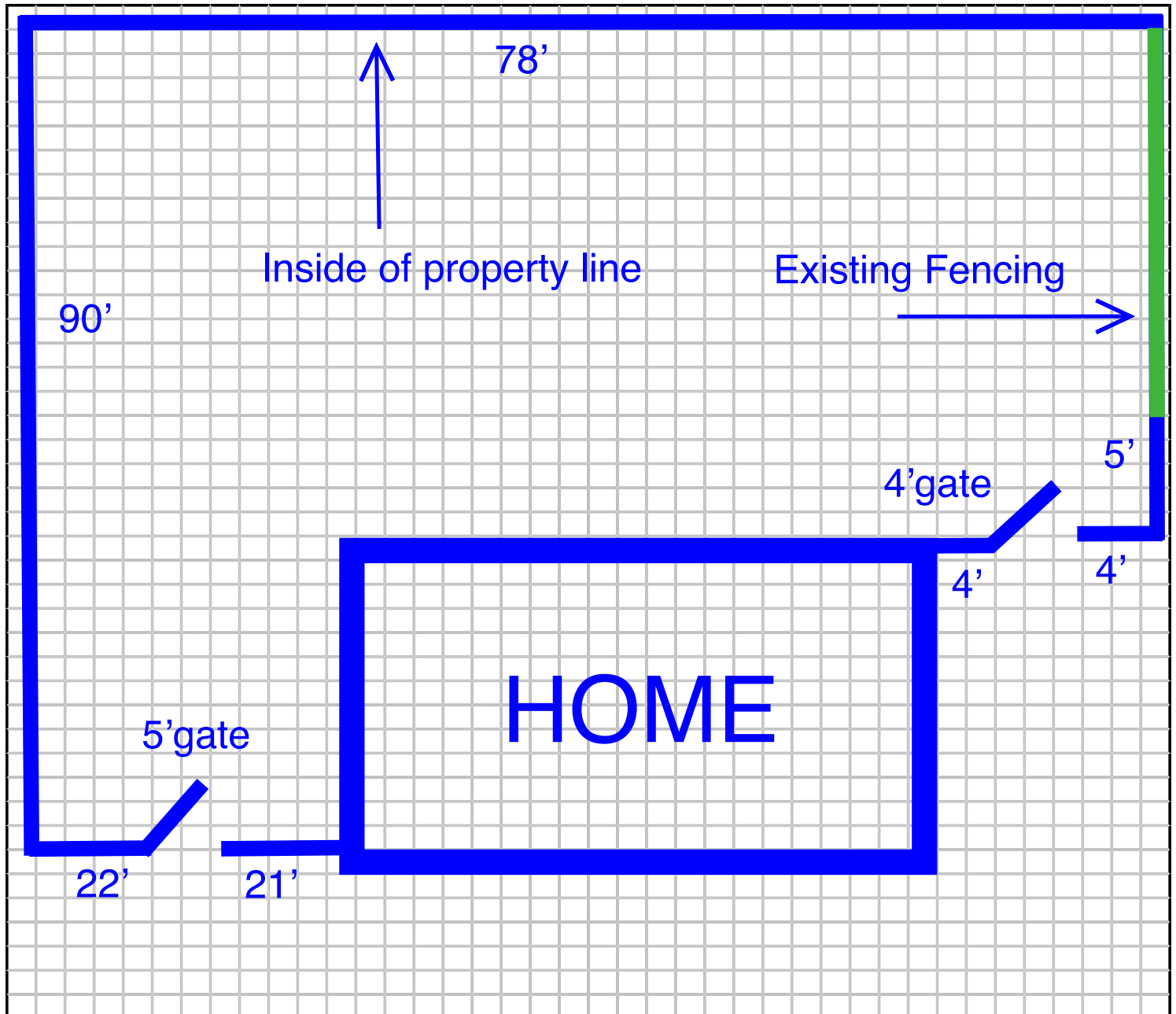
Home Phone#

Work Phone#

Cell Phone#

Cross Street 1

Cross Street 2

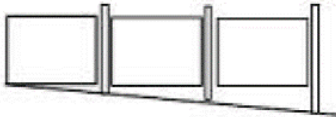
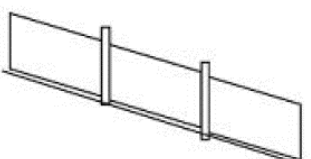
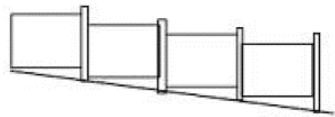




Fencing Quote/Specification

PAWLOWSKI	KKATE	2727	1-127084080644
Customer Last Name	Customer First Name	Store # / Branch Name	Customer Lead/ PO#
2718 RENSHAW DRIVE		TROY	MI 48085
Customer Address		City	State Zip
248-720-9603			
Home Phone#	Work Phone#	Cell Phone#	Cross Street 1 Cross Street 2

FENCE INSTALLATION RELATED TO GRADE:

	LEVEL 	FOLLOWING FLOW 	STEPPED INSTALLATION 
OPTION 1	<input type="checkbox"/> LEVEL FENCE TO BE LEVEL WITH HIGHEST GRADE (CUSTOMER TO FILL IN GAPS)	<input checked="" type="checkbox"/> FOLLOWING FLOW SLIGHTLY UNEVEN GRADE WITH FENCE FOLLOWING FLOW OF GROUND FENCE WILL BE UNEVEN AT TOP	<input type="checkbox"/> STEPPED INSTALLATION STEEP SLOPE WHERE FENCE CANNOT "RACK" ENOUGH TO FOLLOW GRADE AND MUST BE STEPPED, RESULTING IN LARGE GAPS UNDER FENCE. (CUSTOMER TO FILL IN GAPS)
OPTION 2	<input type="checkbox"/> LEVEL Material: Granite Drop Rail Height: 4 Post Cap: Aluminum Post Type: Aluminum	<input type="checkbox"/> FOLLOWING FLOW Footage: 228 Color: Black Picket Type: Aluminum	<input type="checkbox"/> STEPPED INSTALLATION Style: Aluminum If Gates: 4' & 5' gates Rail Type: Aluminum Estimate: \$8589.00
OPTION 3	<input type="checkbox"/> LEVEL Material: Height: Post Cap: Post Type:	<input type="checkbox"/> FOLLOWING FLOW Footage: Color: Picket Type:	<input type="checkbox"/> STEPPED INSTALLATION Style: If Gates: Rail Type: Estimate: \$

This quote is valid for 30 days

NOTES:

228 lineal feet of Granite Drop Rail 4' tall black aluminum fencing with a 4' & 5' wide gates + permit

*** additional 10% off promo \$777 by 5th statement ***



Fencing Quote/Specification

PAWLOWSKI	KKATE	2727	1-127084080644	
Customer Last Name	Customer First Name	Store # / Branch Name	Customer Lead/ PO#	
2718 RENSHAW DRIVE		TROY	MI	48085
Customer Address		City	State	Zip
248-720-9603				
Home Phone#	Work Phone#	Cell Phone#	Cross Street 1	Cross Street 2

CUSTOMER AGREES TO: ☒ **OPTION 1** ☐ **OPTION 2** ☐ **OPTION 3**

PERMIT/INSPECTION INFORMATION:

Permit Required? ☒ Yes ☐ No Who will obtain it? ☒ Service Provider ☐ Homeowner
☐ Homeowner to obtain a permit (Service Provider requires a copy of permit before installation)
☒ Service Provider to obtain permit

Selection Amount	\$8589.00	Additional cost options and the prices in this column to the selection
Demolition Amount	\$0.00	Take down and haul away old fence
Permit Cost	\$50.00	
Misc. Amount	\$0.00	(Explain in NOTES section below)
Subtotal	\$8639.00	
Sales Tax	- \$863.00	Salesman's discount
Total Amount	\$7,776.00	

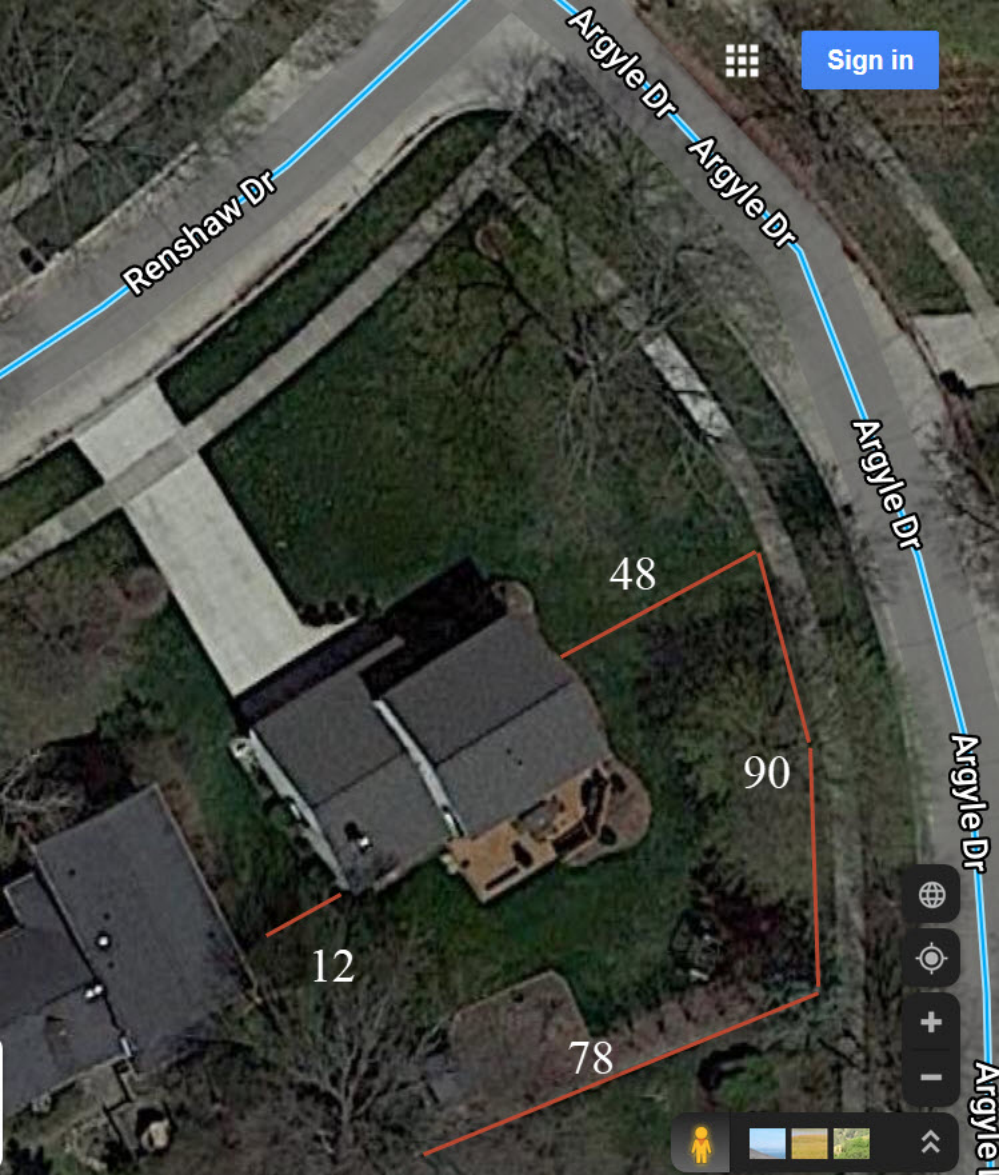
☐ Stock Product ☐ Special Order Product

PLEASE SIGN YOUR NAME TO VALIDATE THAT YOU AGREE WITH THE OPTION(S) ABOVE.

x Covid-19 08/25/2020
(Customer Signature) (Date)

NOTES:

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Renshaw Dr

Argyle Dr

Sign in

Argyle Dr

Argyle Dr

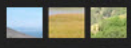
Argyle Dr

48

90

12

78





From: [Salim Huerta](#)
To: [Jackie Ferencz](#)
Subject: Narrative for the BCBA Postcard Mailing for 2385 Hillcrescent Dr.
Date: Saturday, October 17, 2020 8:20:39 PM

A. VARIANCE REQUEST- Michael A Sawyers, 2385 Hillcrescent Dr. –

This property is a double front corner lot. Since it is in the R1-C use district, as such it has a 30 feet required front setback along both Hillcrescent Dr. and Greensboro Dr. The petitioner is requesting a variance to install a 6-foot high 120 feet long Vinyl privacy fence section that requires a variance. It will be setback 1 foot from the property line along the Greensboro Dr. side where the City Code limits fences to a non-obscuring 48 inches height due to the back to back relationship to the neighboring rear lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 200 feet, which 80 feet of the fence do not require a variance.

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

Attn: Planning

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



FEE \$50

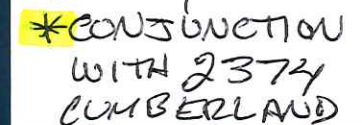
NOTICE TO THE APPLICANT

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: 2385 Hillcrescent Drive, Troy, MI 48085
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-13-328-018
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 ☒



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.







www.troymi.gov

FENCE PERMIT APPLICATION

CITY OF TROY

DEPARTMENT OF BUILDING INSPECTIONS

500 W. BIG BEAVER ROAD

TROY, MICHIGAN 48084

Phone: 248-524-3344 Fax: 248-689-3120

Check # _____

FENCE

Date: 04 AUG 20

Project Information	Job Address: <u>2385 Hillcrescent Drive</u> Suite # _____
	Lot: _____ Subdivision: <u>MOUNT VERNON ESTATES</u>
	Owner: <u>MICHAEL A. SAWYERS</u> Phone: <u>248-898-8505</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>Michael A Sawyers</u> Phone: <u>248-898-8505</u> Fax: _____
	Address: <u>2385 Hillcrescent Drive</u> City: <u>Troy</u> State: <u>MI</u> Zip: <u>48085</u>
	Email: <u>masawyers2385@gmail.com</u>

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

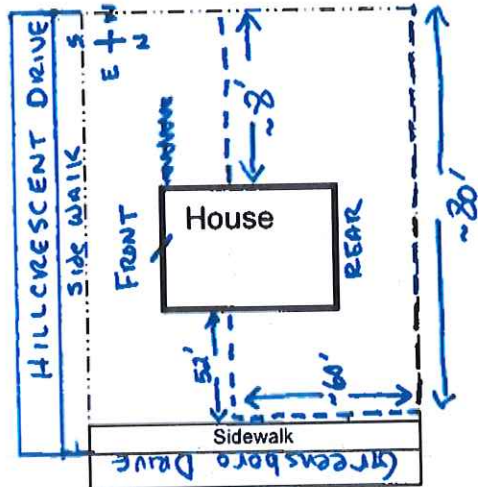
Final lot grade shall be approved before a fence permit is issued.

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 <u>VINYL</u>
Symbols:	000000	xxxxx	///////	□□□□	-----
HEIGHT					<u>6'</u>
NO. OF FEET					<u>~200'</u>
PERMIT FEE	<input checked="" type="checkbox"/> Under 300' \$15.00		<input type="checkbox"/> Over 300' \$25.00		



Interior Lot ☐

Corner Lot ☒

Building Department Approval _____

Section 23a of the state construction code act of 1972, 1972PA 230, MCL 125.1523A, 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 _____

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 _____

From: Sawyers, Michael A CIV USARMY PEO GCS (USA) [mailto:michael.a.sawyers.civ@mail.mil]
Subject: Board of Appeals for 2385 Hillcrest fence.

It was originally my intention to revise my application and resubmit after receiving my denial notification; however, after discussing the situation with my neighbor (Mr. Tony Podsiadlik, 2374 Cumberland) I would like to request a variance from the Building Board of Appeals.

It is my understanding that because Mr. Podsiadlik and I are on a double front yard the setback for a 6' fence is 30' from the property line.

I would like to petition the Building Board of Appeals for the setback of a 6' fence to be 5' from the property line, and not 30'. Setting the fence back 30' from the property line cuts my side and back yard essentially in half...not making it practical, feasible to install a Privacy fence, or esthetically appealing to the neighborhood. Moreover, installing a 48" fence isn't reasonable for privacy in your own back yard.

Thank You

V/R



Dr. Michael A. Sawyers
Deputy Product Manager OMFV
Manuever Combat Systems (MCS)
Program Executive Office, Ground Combat Systems
6501 E. 11 Mile Road
Warren, MI 48397-5000
586-282-6421 Office
248-890-8505 Cell
michael.a.sawyers.civ@mail.mil

Google Maps

2385 HILLCRESCENT DR



Google Maps

2385 HILLCRESCENT DR

1
2

