

RESOLUTION TEMPLATE

Moved by:

Seconded by:

That the variance request for [applicant name, address or location], for [request]

Be granted for the following reasons:

The applicant has demonstrated that:

- a) Exceptional characteristics of the property for which the variance is sought make compliance with the requirements of this Chapter substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of property which shall be considered include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation, and other similar characteristics; and
- b) The characteristics which make compliance with the requirements of this Chapter difficult must be related to the premises for which the variance is sought, not some other location; and
- c) The characteristics which make compliance with the requirements of this Chapter difficult shall not be of a personal nature; and
- d) The characteristics which make compliance with the requirements of this Chapter difficult must not have been created by the owner of the premises, a previous owner, or the applicant; and
- e) The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to adjacent property, or unreasonably increase congestion in public streets, or increase the danger of fire or endanger public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

Yeas:

Nays:

MOTION CARRIED / FAILED



BUILDING CODE BOARD OF APPEALS REGULAR MEETING AGENDA

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

500 W. Big Beaver
Troy, MI 48084
(248) 524-3344
www.troymi.gov
planning@troymi.gov

July 7, 2021

3:00 PM

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. All comments must be received by 9 am the day of the meeting.

1. ROLL CALL
2. RESOLUTION TO ALLOW PUBLIC TO ADDRESS ELECTRONIC MEETINGS
3. APPROVAL OF MINUTES –June 2, 2021
4. HEARING OF CASES:
 - A. VARIANCE REQUEST, SASI GOWNIWARI, 1682 BURR OAK DRIVE – This property is an interior lot of the R-1C Zoning district. Per the City of Troy Code Chapter 83 Fences section (2) Fence Construction in residential areas, item (A) It indicates that in residential areas no fence shall be constructed to a height of more than six (6') feet above the existing grade of the land. The petitioner is requesting a variance to install 280 feet of vinyl privacy fence at a height of seven (7') feet in the back yard, where City Code limits the height to six (6') feet

CHAPTER: 83
 - B. VARIANCE REQUEST, RAJESH KUMAR VARAKALA, 5369 GREENDALE DRIVE – This property is a double front corner lot. Per the City of Troy Zoning Ordinance, it is in the R1-C use district. As such per Chapter 83 of the City of Troy Code, it has 30 feet required front setback along both Greendale Dr. Drive and Orchard Crest Drive. The petitioner is requesting a variance for an existing fence that is 4 feet high, 124 feet obscuring & 66 (30/70) non-obscuring vinyl fence that is one (1') foot from the sidewalk along the Orchard Crest Drive side where City Code limits to 30 inches high obscuring fences due to the fact that there isn't a back-to-back relationship to the rear neighboring lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 190 feet, which 69 feet of the fence do not require a variance

CHAPTER: 83
 - C. VARIANCE REQUEST, CHRIS MAZUR, 2683 DAYTON DRIVE – This property is a double front corner lot. Per the City of Troy Zoning Ordinance, it is in the R-1C use district. As such per Chapter 83 of the City of Troy Code it has 30 feet

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.

required front setback along both Dayton Drive (N-S) and Dayton Drive (E-W). The petitioner is requesting a variance to install a 6-feet high, 89 feet long obscuring wood fence 15 feet from the property line along the Dayton Drive (N-S) side where City Code limits to 30 inches obscuring high fences due to the fact that there isn't a back-to-back relationship to the rear neighboring lot

CHAPTER 83

D. VARIANCE REQUEST, MICHAEL BOOKER SR. & LYNETTE BOOKER, 2026

BLUE SPRUCE – This property is a double front corner lot. Per the City of Troy Zoning Ordinance, it is in the R-1C use district. As such per Chapter 83 of the City of Troy Code it has 30 feet required front setback along both John R & Blue Spruce Dr. The petitioner is requesting a Building Permit to install 103.5 feet of a 6-feet high, vinyl obscuring fence at the rear property line perpendicular to John R. Out of the 103.5 feet of fence, the petitioner is requesting a variance for the 30 feet that encroach into the John R 30 feet required setback. Where the City Code limits obscuring fences to 30 inches in height; due to the fact that there isn't a back-to-back relationship to the rear neighboring lot

CHAPTER 83

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

Moved by:
Seconded by:

That the variance request for [applicant name, address or location], for [request]

Be denied for the following reason(s):

The applicant has not demonstrated that:

- f) Exceptional characteristics of the property for which the variance is sought make compliance with the requirements of this Chapter substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of property which shall be considered include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation, and other similar characteristics; and
- g) The characteristics which make compliance with the requirements of this Chapter difficult must be related to the premises for which the variance is sought, not some other location; and
- h) The characteristics which make compliance with the requirements of this Chapter difficult shall not be of a personal nature; and
- i) The characteristics which make compliance with the requirements of this Chapter difficult must not have been created by the owner of the premises, a previous owner, or the applicant; and
- j) The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to adjacent property, or unreasonably increase congestion in public streets, or increase the danger of fire or endanger public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

Yeas:
Nays:

MOTION CARRIED / FAILED

Moved by:
Seconded by:

RESOLVED, that the variance request for [applicant name, address or location], for [request]

Be postponed for the following reason(s):

Yeas:
Nays:

MOTION CARRIED / FAILED

G:\BUILDING CODE BOARD OF APPEALS\Resolution templates signs.doc

RESOLUTION TEMPLATE

Moved by:

Seconded by:

RESOLVED, That the variance request for [applicant name, company, address or location], for relief of Chapter 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 _____ 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 83 and
2. The variance would adversely affect properties in the immediate vicinity of the proposed _____.
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

PROPOSED RESOLUTION TO ALLOW PUBLIC TO ADDRESS ELECTRONIC MEETINGS

RESOLVED, that the Troy Building Code Board of Appeals hereby allows all members of the public to address an electronic meeting in the following three ways:

- a. Public comments may be submitted via email sent to BCBAPublicComments@troymi.gov . Email received by 9:00 am on the day of the meeting will be read during the public comment period of the meeting. Email comments may be limited to three minutes.
- b. Public comments may be submitted via voicemail left at 248-524-3546. Voicemail received by 9:00 am on the day of the meeting will be played during the public comment period of the meeting
Voicemail comments may be limited to three minutes.
- c. Members of the public may attend the electronic meeting remotely and participate in a public comment period. Comments may be limited to three minutes.

Chair Abitheira called the hybrid in-person and virtual Regular meeting of the Building Code Board of Appeals to order at 3:28 p.m. on June 2, 2021. The meeting convened at a later time than scheduled due to technical difficulties.

1. ROLL CALL

Members Present

Gary Abitheira
Matthew Dziurman
Sande Frisen

Members Absent

Teresa Brooks
Mark F. Miller, City Manager

Support Staff Present

Salim Huerta, Building Official
Paul Evans, Zoning and Compliance Specialist
David Michalik, IT Help Desk Manager
Jackie Ferencz, Planning Department Administrative Assistant
Kathy L. Czarnecki, Recording Secretary

2. SUSPENSION OF BUILDING CODE BOARD OF APPEALS BYLAWS

Ms. Czarnecki read the following Resolution into the record.

Moved by: Frisen
Support by: Dziurman

RESOLVED, That the Troy Building Code Board of Appeals hereby allows its members and members of the public to participate in public meetings by electronic means as allowed by Public Act 228 of 2020, and in accordance with Troy City Council Resolution 2021-04-048 declaring a local state of emergency and determining that an in-person meeting could detrimentally increase exposure of board members and the general public to COVID-19. The allowance to participate in public meetings shall continue until the Troy City Council lifts the local state of emergency or through December 31, 2021, whichever is earlier. 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.

Yes: All present (3)
Absent: Brooks, Miller

MOTION CARRIED

3. APPROVAL OF MINUTES

Moved by: Frisen
Support by: Dziurman

RESOLVED, To approve the minutes of the May 5, 2021 Regular meeting as submitted.

Yes: All present (3)
Absent: Brooks, Miller

MOTION CARRIED

4. HEARING OF CASES *

** Note: The Chair opened the floor for public comment for the following cases without verbally stating the Public Hearing(s) were opened and closed. Ms. Ferencz presented email and voicemail messages into the record.*

- A. **VARIANCE REQUEST, 1525 E MAPLE** – In February 2021, the Building Code Board of Appeals granted petitioner a variance to install a ground sign that was to be set back 20 feet from the front property line. Petitioner requests to install same ground sign with a proposed 18 foot setback from the front property line. CHAPTER 85

Mr. Huerta read the variance request narrative.

Mr. Evans presented slides that addressed the location, neighboring zoning districts and the variance request before the Board for consideration on February 3, 2021. Mr. Evans said the variance granted in February relates to the area and height of the sign. He indicated the petitioner is coming back seeking approval for an 18-foot setback because of an oversight on their part in the measurement of the property line from Maple. Mr. Evans reported there are no changes to the sign itself.

Jim Fields of Allied Signs was present remotely. Mr. Fields said in measuring the property again, they realized they were a little over one (1) foot short on the 20-foot required setback.

There was discussion on:

- Confirmation there are no modifications to the sign footprint.
- Confirmation that the footing is the same.

There was no one present in the audience to speak. There were no email or voicemail messages reported.

Moved by: Dziurman
Support by: Frisen

RESOLVED, To **grant** the variance request because it meets all the criteria of the Board.

The petitioner demonstrated that:

- a) Exceptional characteristics of the property make compliance with the requirements of Chapter 85.
- b) The characteristics which make compliance with the requirements of this Chapter difficult are related to the premises for which the variance is sought.
- c) The characteristics which make compliance with the requirements of this Chapter are not of a personal nature.
- d) The characteristics which make compliance with the requirements of this Chapter difficult was not created by the owner of the premises.
- e) The proposed variance is not harmful or does it alter the essential character of the area in which the property is located.

Yes: All present (3)
Absent: Brooks, Miller

MOTION CARRIED

(Mr. Evans exited the meeting.)

- B. **VARIANCE REQUEST, SASI GOWNIWARI, 1682 BURR OAK DRIVE** – This property is an interior lot of the R-1C Zoning district. Per the City of Troy Code Chapter 83 Fences section (2) Fence Construction in residential areas, item (A) It indicates that in residential areas no fence shall be constructed to a height of more than six (6') feet above the existing grade of the land. The petitioner is requesting a variance to install 280 feet of vinyl privacy fence at a height of seven (7') feet in the back yard, where City Code limits the height to six (6') feet. CHAPTER 83

Chair Abitheira recused himself from deliberating the variance request. He informed the Board that he built the home for which the petitioner is seeking the variance and he currently has homes on the market in that subdivision.

The petitioner Sasi Gowniwari was present remotely. It was explained that with the recusal of Chair Abitheira, there is not a quorum present to consider the request and the Board would postpone the item to the July meeting.

Moved by: Dziurman
Support by: Frisen

RESOLVED, To **postpone** the variance request to the July 7, 2021 meeting.

Yes: All present (3)
Absent: Brooks, Miller

MOTION CARRIED

- C. VARIANCE REQUEST, CARY BOLTON, 1085 SHADOW – This property is a double front corner lot. Per the City of Troy Zoning Ordinance, it is in the R1-C use district. As such per Chapter 83 of the City of Troy Code, it has a 30 feet required front setback along both Shadow Drive and Harold Drive. The petitioner is requesting a variance for an existing fence 6-feet high, 100 feet obscuring vinyl fence that is three (3') feet from the property line along the Harold Drive side where City Code limits to 48 inches high non-obscuring fences due to the fact that there is a back-to-back setback relationship to the rear neighboring lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 175 feet, which 75 feet of the fence do not require a variance. CHAPTER 83

Mr. Huerta read the variance request narrative.

The petitioner Cary Bolton was present remotely. Mr. Bolton shared the circumstances that preceded the installation of the fence. He contracted with a licensed and insured fence contractor who, he was informed later by Code Enforcement, did not pull a building permit. Mr. Bolton said when he went to pull the permit himself is when he found out that he would have to seek a variance because of the back-to-back relationship to the rear neighboring property.

Mr. Huerta informed the Board that there is an open court case on this matter. He said the Judge on the case is waiting for the action taken by this Board on the variance request.

There was discussion on:

- Neighboring fence material; non-obscuring steel product with arborvitae.
- Corner visibility clearance required at driveway.
- Clarification of fence line displayed on GIS map.
- Confirmation on fence height and existing setback.
- 4 foot non-obscuring fence permitted by right.
- Consideration by Board for forgiveness of no permit or relief of required setback.
- Potential removal of existing fence.
- Contact/ communication with fence contractor.
- Board's standpoint of setting a precedent relating to forgiveness of no permit.
- Board's consideration and action if variance request sought prior to fence installation.

Mr. Bolton said the fence contractor is not responding to any of his phone calls. He said it would be very costly to tear down the fence. Mr. Bolton offered to angle the fence to provide the required visibility clearance at the driveway and to plant arborvitaes if the Board so desired.

Chair Abitheira opened the floor for public comment.

There was no one present in the audience to speak.

- Jeremy, resident on Harold Drive; in support. (*remotely*)
- Kaj Ostergaard, President of Shallowbrook Subdivision Homeowners Association; referenced feedback from board members and neighboring residents. (*email*)
- Svitlana Morhunov, 1120 Shadow; in support. (*email*)
- Name, address inaudible; neutral. (*voicemail*)
- Ms. Bewick, 4509 Harold, in support. (*voicemail*)

The floor for public comment was closed.

Moved by: Frisen
Support by: Dziurman

RESOLVED, To **deny** the variance request, for the following reason:

1. The variance request does not meet the intent of the Code.

Yes: All present (3)
Absent: Brooks, Miller

MOTION CARRIED

- D. VARIANCE REQUEST, MICHELLE LAMACCHIO, 4578 POST DRIVE – This property is a double front corner lot. Per the City of Troy Zoning Ordinance, it is in the R-1C use district. As such per Chapter 83 of the City of Troy Code it has 30 feet required front setback along both Post Drive and Waltham Drive. The petitioner is requesting a variance to install a 4-feet high, 315 feet non-obscuring aluminum fence at the property line along the [Post Drive] and the Waltham Drive where City Code limits to 30 inches high fences due to the fact that there isn't a back-to-back relationship to the rear neighboring lot. CHAPTER 83

Mr. Huerta read the variance request narrative. Mr. Huerta addressed the relationship of the petitioner's property to the neighboring property to the rear.

The petitioner Michelle Lamacchio was present remotely. Ms. Lamacchio said the fence would provide safety for their children from the street and from a neighboring dog. She said the side yard is the majority of their property in which the children can play. Ms. Lamacchio addressed the material of the fence and believes it would add value to the property.

There was discussion on:

- Placement of fence in relation to house and existing trees, arborvitaes.
- Side yard essentially the rear yard.
- Setback; petitioner voiced flexibility.
- Consideration of lower fence height; petitioner voiced not enough protection.
- No interference of existing utilities.

Chair Abitheira opened the floor for public comment.

There was no one present in the audience to speak.

- Robert Rankel, 4552 Post; in support. (*voicemail*)

Ms. Ferencz reported no email messages were received, and there was no one virtually present to speak.

The floor was closed for public comment.

Moved by: Dziurman
Support by: Frisen

RESOLVED, To **grant** the variance request with a three (3) foot setback from the property line, and along the sidewalk, then follow the property line on the rear side of the property as proposed, for the following reason:

1. The petitioner has a hardship resulting from the unusual characteristics of the property.

Yes: All present (3)
Absent: Brooks, Miller

MOTION CARRIED

5. COMMUNICATIONS – None

6. PUBLIC COMMENT

There was no one present in the audience to speak.

Ms. Ferencz reported there were no email or voicemail messages received, and that there are no virtual attendees present.

7. MISCELLANEOUS BUSINESS

Mr. Dziurman announced he would not be in attendance at the July 7, 2021 meeting.

8. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 4:34 p.m.

Respectfully submitted,

Gary Abitheira, Chair

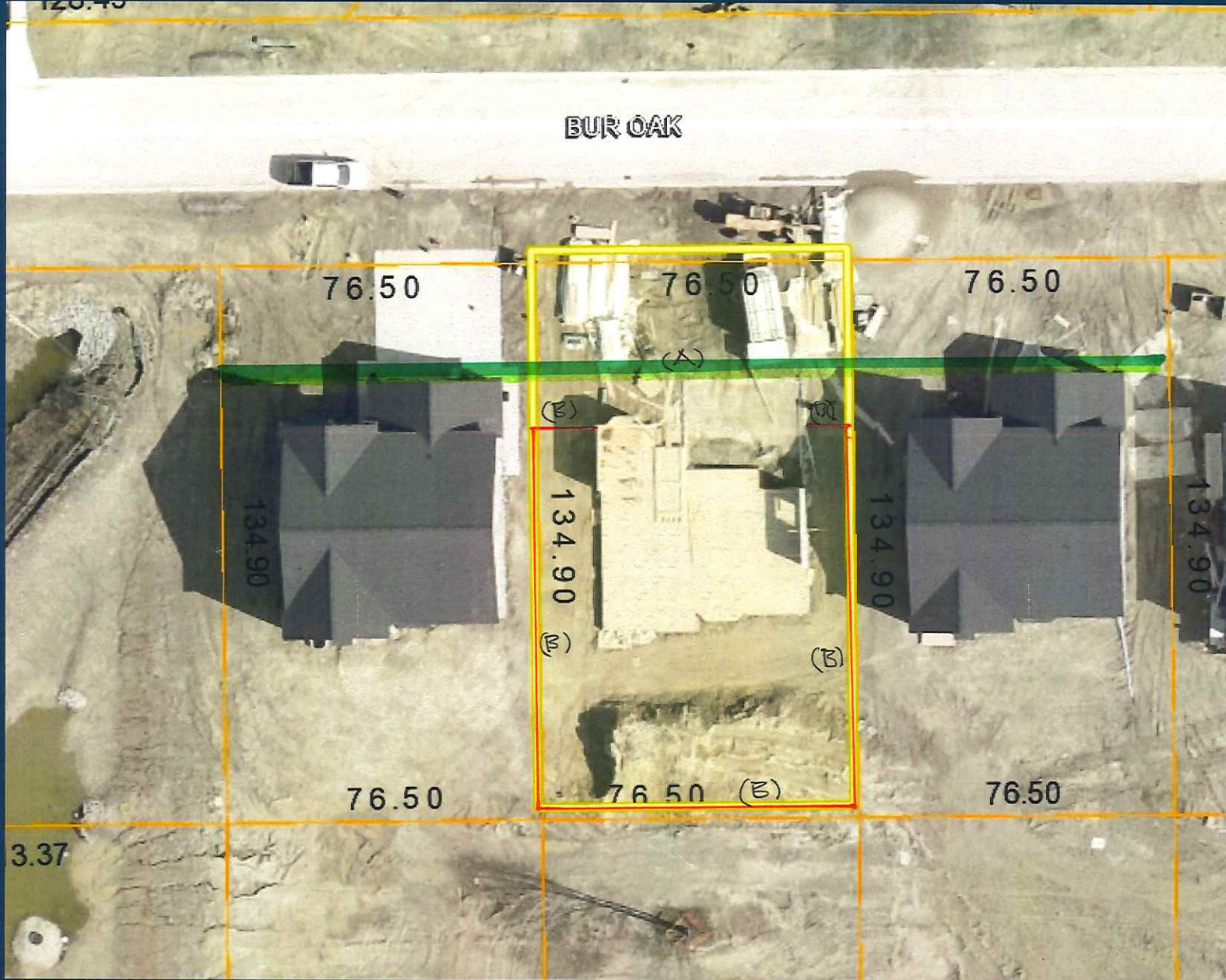
Kathy L. Czarnecki, Recording Secretary

C:\Users\bob\Documents\Kathy\COT Building Code Board of Appeals\Minutes\2021\2021 06 02 Regular Meeting_Draft.doc

- A. **VARIANCE REQUEST, SASI GOWNIWARI, 1682 BUR OAK DRIVE** – This property is an interior lot of the R-1C Zoning district. Per the City of Troy Code Chapter 83 Fences section (2) Fence Construction in residential areas, item (A) It indicates that in residential areas no fence shall be constructed to a height of more than six (6') feet above the existing grade of the land. The petitioner is requesting a variance to install 280 feet of vinyl privacy fence at a height of seven (7') feet in the back yard, where City Code limits the height to six (6') feet. CHAPTER 83



GIS Online



Legend:

1682 BUR OAK,
R-1C

30' FRONT
SETBACK.

(A) 7' WOOD
OBSCURING
FENCE

* REQUESTED
VARIANCE
280' OF 7'
WOOD FENCE

(B) REJECTED
APPLICATION IS
NOT SHOWING
GATES.

* PER CHAPTER
83 FENCES
SECTION (2)
ITEM (A)
RESIDENTIAL
FENCES SHALL
BE CONSTRUCTED
TO A HEIGHT
OF 6 FEET MAX.
* NO TOPOGRAPHIC
SURVEY WAS
SUBMITTED.



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: _____

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 _____
COMPANY _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
TELEPHONE _____
E-MAIL _____

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

8. OWNER OF SUBJECT PROPERTY:

NAME _____
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 G. Jan Dwy _____ DATE _____

PRINT NAME: _____

SIGNATURE OF PROPERTY OWNER G. Jan Dwy _____ DATE _____

PRINT NAME: _____

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.



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

www.troymi.gov

Check # _____

FENCE

Date: 02/09/2021

Project Information	Job Address: 1682 BUR OAK DR TROY-48085 Suite # _____
	Lot: 9 Subdivision: _____
	Owner: SASI GOWNIWAR Phone: 248-877-5380
	Work to be Performed: <input checked="" 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: SASI GOWNIWAR Phone: 248-877-5380 Fax: _____
	Address: 1682 BUR OAK DR City: TROY State: MI Zip: 48085
	Email: SKGOWNIWAR@gmail.com

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

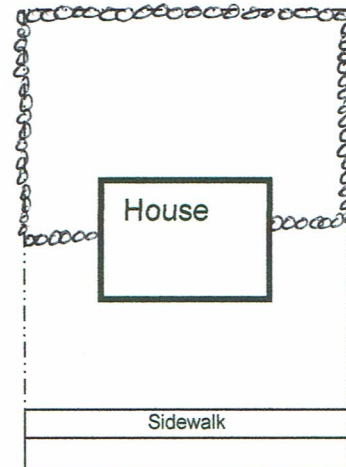
Final lot grade shall be approved before a fence permit is issued.

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	7-ft				
NO. OF FEET	280				
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 G. Gowniwar
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 _____











From: [Jennifer Halucha](#)
To: [BCBA Public Comments](#)
Subject: public notice on fence approval/1682 Bur Oak Drive
Date: Friday, May 21, 2021 10:13:50 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Evening,

I am sending my response just in case I may miss the meeting(I plan on attending as well).

This is to voice my opinion on the request to install a 7ft privacy fence at 1682 Bur Oak.

We all have many issues with this request and I would like to list them

1. It is unacceptable to have a fence that tall in a sub. that height is reserved properties that are larger in size. It does not fit the landscape of the neighborhood.
2. It would take away from the open feel of the area.
3. Be a eye sore, like looking at a compound
4. would decrease the value of the homes in the neighborhood which would be a burden of others and harm resale values.
5. The HOA/ by laws and Master deed states no fences unless approved by the builder or HOA and IF approved can only be 48" tall. Also, the material needs to be approved and we were approved for either a rod iron or alum. fence.

**side note, we would of liked a privacy fence but after thinking about it and got approval of a metal alum decorative fence I agree with the builders stance. It is more prestigious, still gives an open feel to the area, doesn't take away from the value by being an eye sore and not as noticeable. If a fence is approved(which I have no problems with that) it should be consistent all through and be either rod iron or alum. If we allow vinyl, wood or chain link to be installed it will really detract from the value of our homes(looking like a hodge podge area) and that is not acceptable in this neighbor. Lets keep our neighborhood looking beautiful and desirable.

Thank you for your time and have a great night.

The best compliment I can receive is the referral of your friends, family, neighbors and business associates, whether moving in the area or relocating inside of Michigan.

Jennifer J. Halucha
Associate Broker, REALTOR®

BPOR, E-PRO, ABR, SRS, SRES, RENE
Real Living Great Lakes Real Estate
248-763-6611 cell
248-293-0000 office ext 608
248-997-8600 office fax
248-528-1565 home fax

Jhalucha@yahoo.com

www.RealLiving.com/Jennifer.Halucha

<https://www.facebook.com/Jen.Halucha>

From: [Jennifer Halucha](#)
To: [BCBA Public Comments](#)
Subject: Re: public notice on fence approval/1682 Bur Oak Drive
Date: Wednesday, May 26, 2021 12:29:56 PM
Attachments: [image006.png](#)
[image004.png](#)
[image005.png](#)
[image002.png](#)
[image003.png](#)
[image001.png](#)

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you,

I forgot to mention that I talked to a sales rep about fencing and he said that they don't make 7ft vinyl fencing and only either 6 or 8 ft. They would have to order a 8 ft and have it cut which would cost more in labor then the cost of the fence material. even If they requested wood it would have to be cut to size as well. I know that's not even an issue for approval but its not even readily available as requested.

Regardless of the reasons they may want to install such an eye sore, having a fence of that magnitude isn't in line with the master deed restrictions(which they agreed on when purchasing the home. They had 7 days to review before moving forward with the purchase of the home), doesn't fit the neighborhoods landscape, feel and would be a burden to the value of the rest of the homes in the sub. If approved outside the scope of the Master deed restrictions it would allow others to not obey the guidelines in which we all agreed upon prior to purchasing homes to install any kind of fence they wish. this would distract from the views, landscape, open feel, and values.

If they wish to install a fence, a metal fence of aluminum or rod iron and 48" should only be approved.

The best compliment I can receive is the referral of your friends, family, neighbors and business associates, whether moving in the area or relocating inside of Michigan.

Jennifer J. Halucha
Associate Broker, REALTOR®

BPOR, E-PRO, ABR, SRS, SRES, RENE
Real Living Great Lakes Real Estate
248-763-6611 cell
248-293-0000 office ext 608
248-997-8600 office fax
248-528-1565 home fax

From: [Clark Allan](#)
To: [BCBA Public Comments](#)
Subject: Public Hearing 6/2/21 3:00 pm
Date: Tuesday, June 1, 2021 4:59:01 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Regarding the petition for variance to build a 7' privacy fence at 1682 Bur Oak Dr:

I live on Abbotsford Dr and walk the Oak Forest developments 1, 2, 3 and 4 every day. I have never seen a single privacy fence in any of the hundreds (?) of new yards. New residents have planted arbrovitae or other hedges for privacy. I do not know if there is an Association for these new developments that prohibit privacy fencing, but I hope so.

I not only object to an additional foot of solid fencing, I object to a solid privacy fence, period. I miss the woods that were clear cut for these new neighborhoods, but accept the growth in Troy. Instead of woods, I would appreciate the view of lawns, shrubs and trees, not an obstructive fence.

Thank you for your consideration.
Terri Clark
1760 Abbotsford Dr
Troy

[Sent from AT&T Yahoo Mail on Android](#)

From: [kausar.jabbar](#)
To: [BCBA Public Comments](#)
Subject: Ref: Public hearing letter (fence height)
Date: Friday, May 21, 2021 8:16:41 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening Mr. Huerta

We have recieved a public hearing notice yesterday, in regards to a fence installment for 1682 Bur Oak Drive.

As the city letter mentions, city of Troy building code allows a 6 feet height fence; however our Homeowner association bylaws require an approval from HOA first to place a fence and if approved only a 4 feet height fence is allowed to install.

We support and favor our HOA bylaws/master deed for only allowing a 4 feet height fence.

Best regards,

Kausar Jabbar
1655 Bur Oak Drive
Troy, Mi

B. VARIANCE REQUEST, RAJESH KUMAR VARAKALA, 5369 GREENDALE DRIVE

– This property is a double front corner lot. Per the City of Troy Zoning Ordinance, it is in the R1-C use district. As such per Chapter 83 of the City of Troy Code, it has 30 feet required front setback along both Greendale Dr. Drive and Orchard Crest Drive. The petitioner is requesting a variance for an existing fence that is 4 feet high, 124 feet obscuring & 66 30/70 non-obscuring vinyl fence that is one (1') foot from the sidewalk along the Orchard Crest Drive side where City Code limits to 30 inches high obscuring fences due to the fact that there isn't a back-to-back relationship to the rear neighboring lot. The total length of the fence requested by the petitioner to be permitted by the Building Department is 190 feet, which 69 feet of the fence do not require a variance. CHAPTER 83



GIS Online



Legend:

Tax Parcel



5369
GREENDALE
R1-C

30' FRONT
SETBACK.

* 4' FENCE
(OBSCURING)

* 4' FENCE
(NON-OBSCURING)
25%/100%

* 30 FEET
REQUIRED
FRONT SETBACK.

* HOUSE ZBA
JUNE 27, 1978
SETBACK FROM
30' TO 21'

* FENCE IS
EXISTING.

Notes:

Map Scale: 1=47

Created: June 20, 2021



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.

July 10, 1978

D & T Construction
15495 Canal
Mt. Clemens, MI

relief of the front setback of 21' in lieu of the 30'
required at 5369 Greendale

June 27, 1978

MOVED, to approve relief at 5369 Greendale for relief of the front setback
from 30' to 21' for the following reasons:

1. The lot is a corner lot and is odd shaped.
2. The home meets requirements on one corner of the lot.
3. The petitioner is not overbuilding the lot.

MOTION TO APPROVE CARRIED

**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: 5369 GREENDALE DR, TROY, MI
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-11-477-018
3. CODE NAME (e.g. "BUILDING CODE", "SIGN CODE", "FENCE CODE") AND SECTION(S) RELATED TO THE APPEAL:
CHAPTER-83: Fences
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 RAJESH KUMAR VARAKALA

COMPANY _____

ADDRESS 5369 GREENDALE DR

CITY TROY STATE MI ZIP 48085

TELEPHONE 734-218-2440

E-MAIL VARAKALARAJESH@GMAIL.COM

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: -SELF-

8. OWNER OF SUBJECT PROPERTY:

NAME RAJESH KUMAR VARAKALA

COMPANY _____

ADDRESS 5369 GREENDALE DR

CITY TROY STATE MI ZIP 48085

TELEPHONE 734-218-2440

E-MAIL VARAKALARAJESH@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, RAJESH VARAKALA (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 5/21/2021

PRINT NAME: RAJESH KUMAR VARAKALA

SIGNATURE OF PROPERTY OWNER  DATE 5/21/2021

PRINT NAME: RAJESH KUMAR VARAKALA

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.

STATEMENT OF PRACTICAL DIFFICULTY

Date: 04/27/2021

Troy, MI.

Sub: Requesting Fence Variance to be allowed for 5369 Greendale Dr, Troy.

Respected BBA,

I am Rajesh Kumar Varakala, property owner of 5369 Greendale Dr, Troy, MI. My request for a fence permit was denied citing the ordinance as per the Chapter 83 – Fences. I am requesting a variance to be allowed to build a transparent fence with 48". I believe even though my lot is at the corner, due to the curvature we will not be causing any issues to the ongoing traffic if we put up a fence. Recently, my neighbor (5350 Westmoreland Dr, Troy, MI) was able to install a fence 48" fence with variance upon your approval and I am requesting the similar approval.

Attached are the plot plan and photos. And looking forward to the opportunity to represent myself during your board meeting,

Sincerely,

Rajesh Varakala

Ph: 734-218-2440

5369 Greendale Dr, Troy, MI.





5389









Exhibit-1: Plot Plan

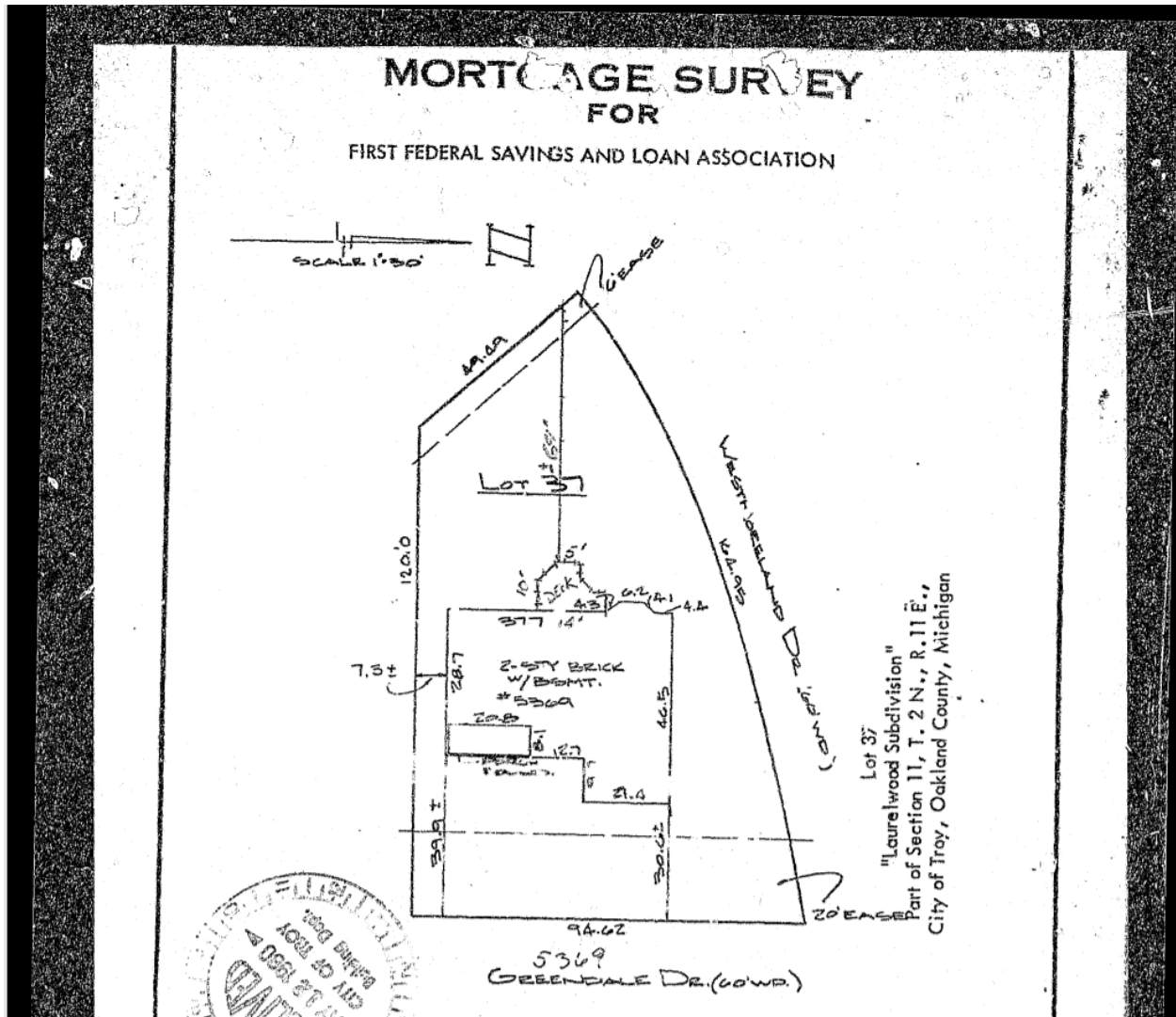
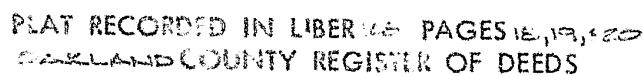
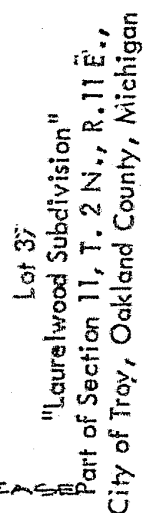


Exhibit-2: Neighbor's Fence Photo





FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION

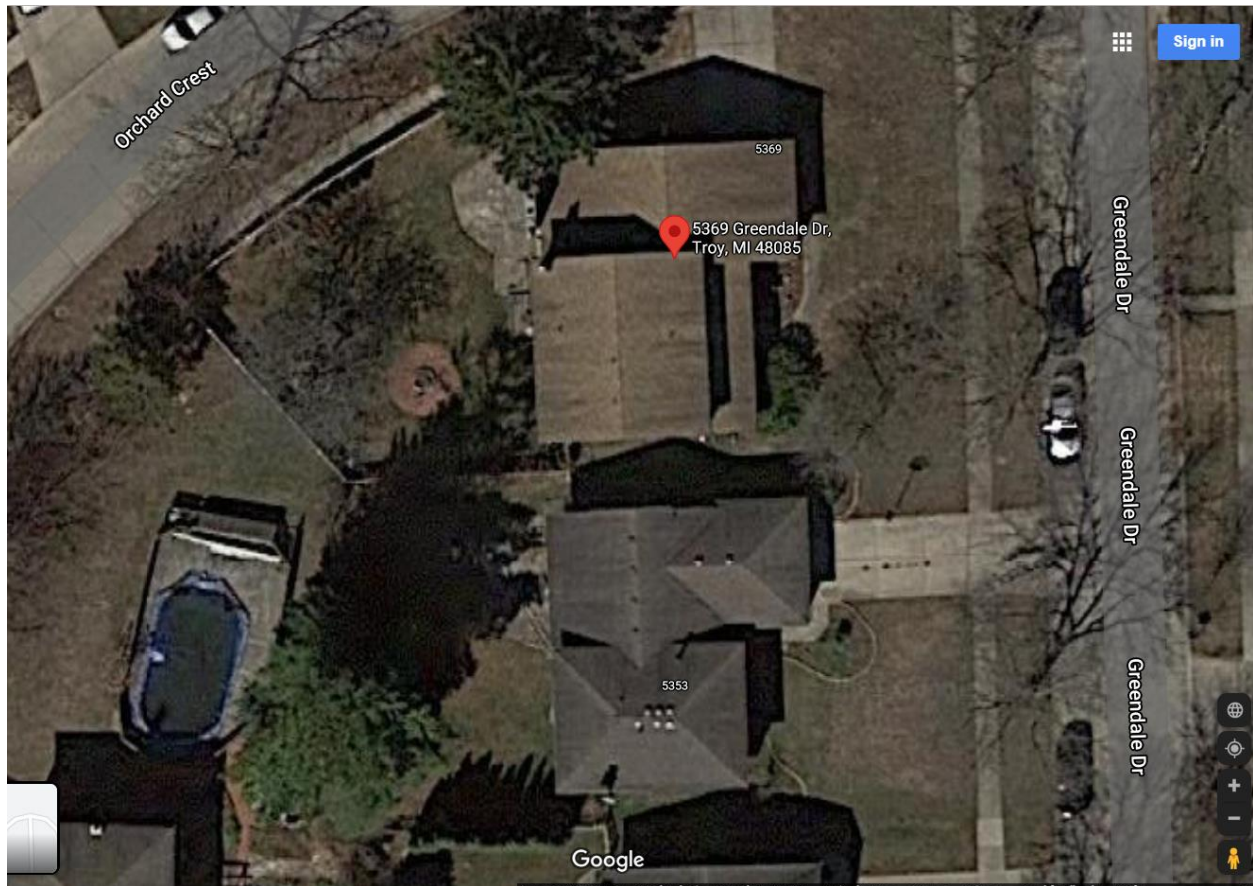


Martin Clemens, Michigan

ROBERT L
SMITH

Areal Pictures and Fence Measures of 5369 Greendale Dr, Troy

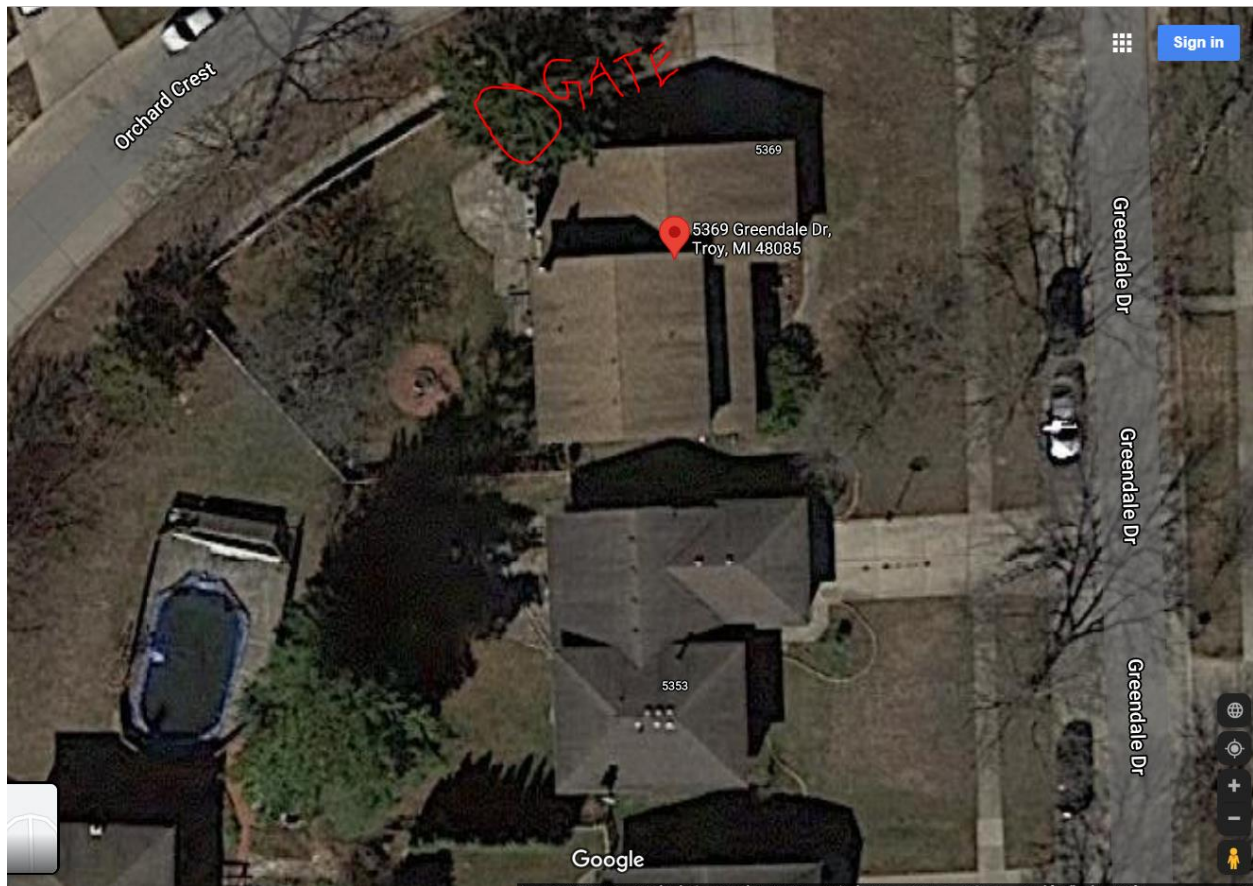
1. Areal picture



2. Areal picture of the fence (marked in RED)



3. Areal picture showing the Fence Gate



4. Areal picture of fence with measurements in ft



- C. VARIANCE REQUEST, CHRIS MAZUR, 2683 DAYTON DRIVE – This property is a double front corner lot. Per the City of Troy Zoning Ordinance, it is in the R-1C use district. As such per Chapter 83 of the City of Troy Code it has 30 feet required front setback along both Dayton Drive (N-S) and Dayton Drive (E-W). The petitioner is requesting a variance to install a 6-feet high, 89 feet long obscuring wood fence 15 feet from the property line along the Dayton Drive (N-S) side where City Code limits to 30 inches obscuring high fences due to the fact that there isn't a back-to-back relationship to the rear neighboring lot.

CHAPTER 83



GIS Online



Legend:

Tax Parcel

2683 DAYTON DR.

R1-C

30' FRONT
SETBACK.

* 6' FENCE
(WOOD OBSCURING)

* 30' FEET
REQUIRED
SETBACK.

Notes:

Map Scale: 1=47

Created: June 20, 2021



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.

**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: 2683 Dayton Dr, Troy, MI, 48085
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-12-453-029
3. CODE NAME (e.g. "BUILDING CODE", "SIGN CODE", "FENCE CODE") AND SECTION(S) RELATED TO THE APPEAL:
Fence Code, Chapter 83 Fences of the City of Troy Ordinance
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 Chris Mazur

COMPANY _____

ADDRESS 2683 Dayton Dr

CITY Troy STATE MI ZIP 48085

TELEPHONE 248-798-8865

E-MAIL cmazur@ymail.com

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

8. OWNER OF SUBJECT PROPERTY:

NAME Chris Mazur

COMPANY _____

ADDRESS 2683 Dayton Dr

CITY Troy STATE MI ZIP 48085

TELEPHONE 248-798-8865

E-MAIL cmazur@ymail.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, Chris Mazur (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 5/16/2021

PRINT NAME: Chris Mazur

SIGNATURE OF PROPERTY OWNER _____

DATE 5/16/2021

PRINT NAME: Chris Mazur

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.

SUBMITTAL CHECKLIST FOR APPEALS NOT RELATED TO SIGNS

FOR SIGNS, PLEASE USE SUBMITTAL CHECKLIST ON NEXT PAGE

<u>REQUIRED</u>	<u>PROVIDED</u>	
-----------------	-----------------	--

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | COMPLETED APPLICATION. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1 COPY OF SUPPORTING DOCUMENTS DESCRIBING THE REQUEST, CONSTRUCTION AND/OR WORK INCLUDING BUT NOT LIMITED TO: <ul style="list-style-type: none">▪ PLOT PLANS DRAWN TO SCALE, SHOWING THE SHAPE AND DIMENSION OF LOT(S).▪ LOCATION ON THE LOT OF FENCES, OR OTHER STRUCTURES CONCERNING THE REQUEST.▪ DETAILED PLANS SHOWING CONSTRUCTION MATERIALS AND METHOD OF CONSTRUCTION.▪ PHOTOS, DRAWINGS, OR RENDERINGS AS NECESSARY TO ACCURATELY DESCRIBE THE REQUEST. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | ANY ADDITIONAL INFORMATION INCLUDING REPORTS OR ACCREDITED TESTING AGENCIES, INCLUDING ACCREDITED AGENCIES RECOGNIZED BY THE INTERNATIONAL CODE COUNCIL (ICC) AND ACCEPTED ENGINEERING PRACTICES SHOULD ACCOMPANY YOUR APPEAL. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1 COPY OF INFORMATION THAT CLEARLY EXPLAINS THE IMPACTS OF THE REQUEST ON THE AREA. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | A WRITTEN EXPLANATION OF THE REASONS JUSTIFYING THE REQUEST. IF APPEALING AN ICC CONSTRUCTION CODE, PLEASE EXPLAIN ALTERNATIVES THAT WOULD BE EQUAL TO WHAT THE CODE REQUIRES. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | MINIMUM SIZE OF ALL DOCUMENTS 8.5" X 11" . |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | A DIGITAL VERSION OF ALL APPLICATION DOUCUMENTS. E MAILING THEM TO THE DEPARTMENT IS PREFERRED. |

Dear Members of the Building Code Board of Appeals,

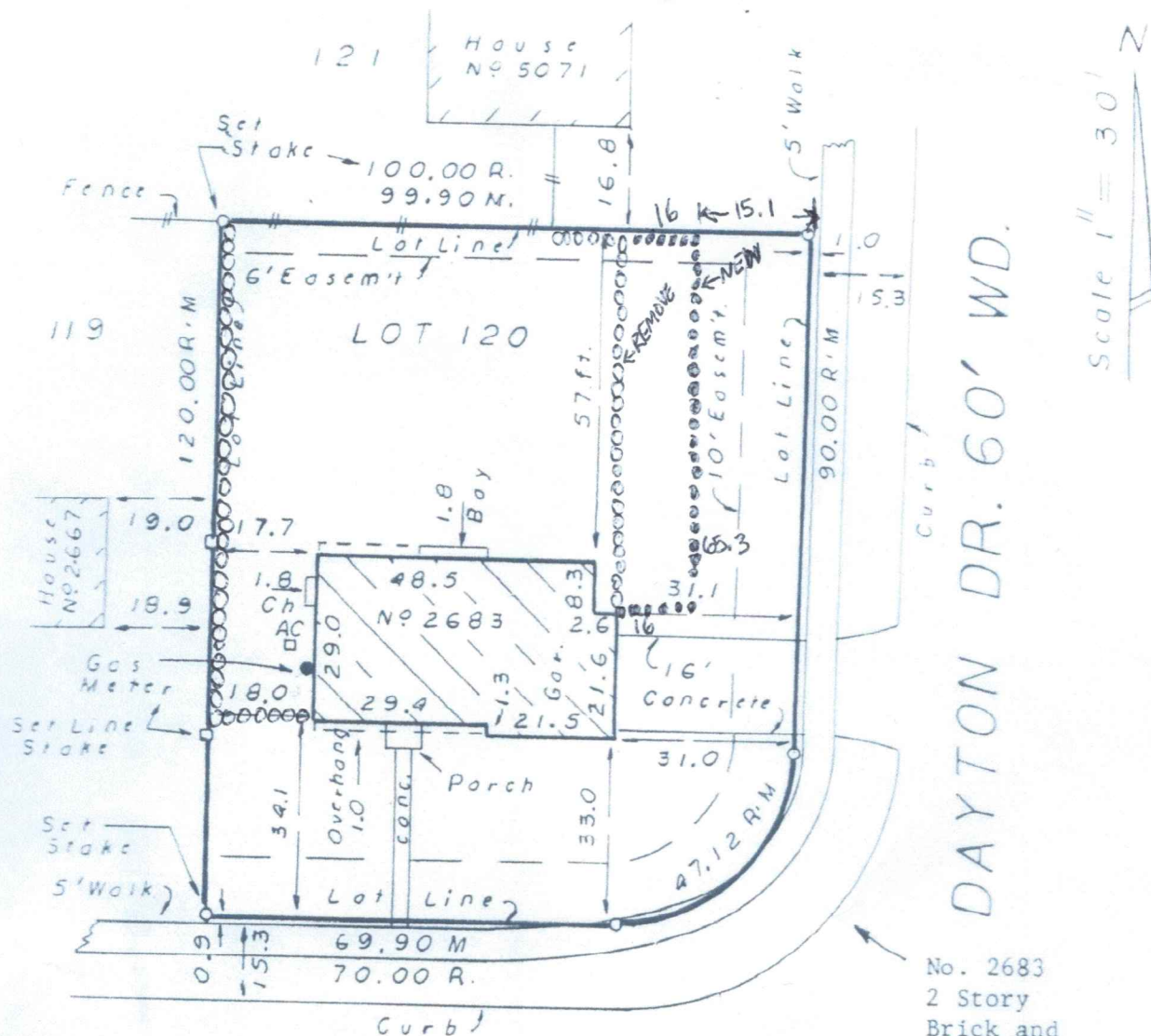
Due to the location of our home being on a corner lot, the fence code requires a double front setback of 30 feet from the property line. Please allow us to build a wood privacy fence 6 feet tall 15.1 feet from the property line. We would tear down the existing fence along the current setback and install a new one that is 16 feet closer to the road (15.1 feet from the property line). This would allow privacy and security for our two small children and future puppy to play. Due to our location we have seen foxes and deer in our yard on several occasions. Due to the pandemic, we have been staying at home and the kids would enjoy the extra space to run and play safely.

Thank you for your consideration,

Chris Mazur

CERTIFICATE OF SURVEY

0000 EXISTING FENCE
0000 NEW FENCE



DAYTON DR. 60' WD.

No. 2683
2 Story
Brick and
Frame Single
Residence with
Composition
Shingle Roof

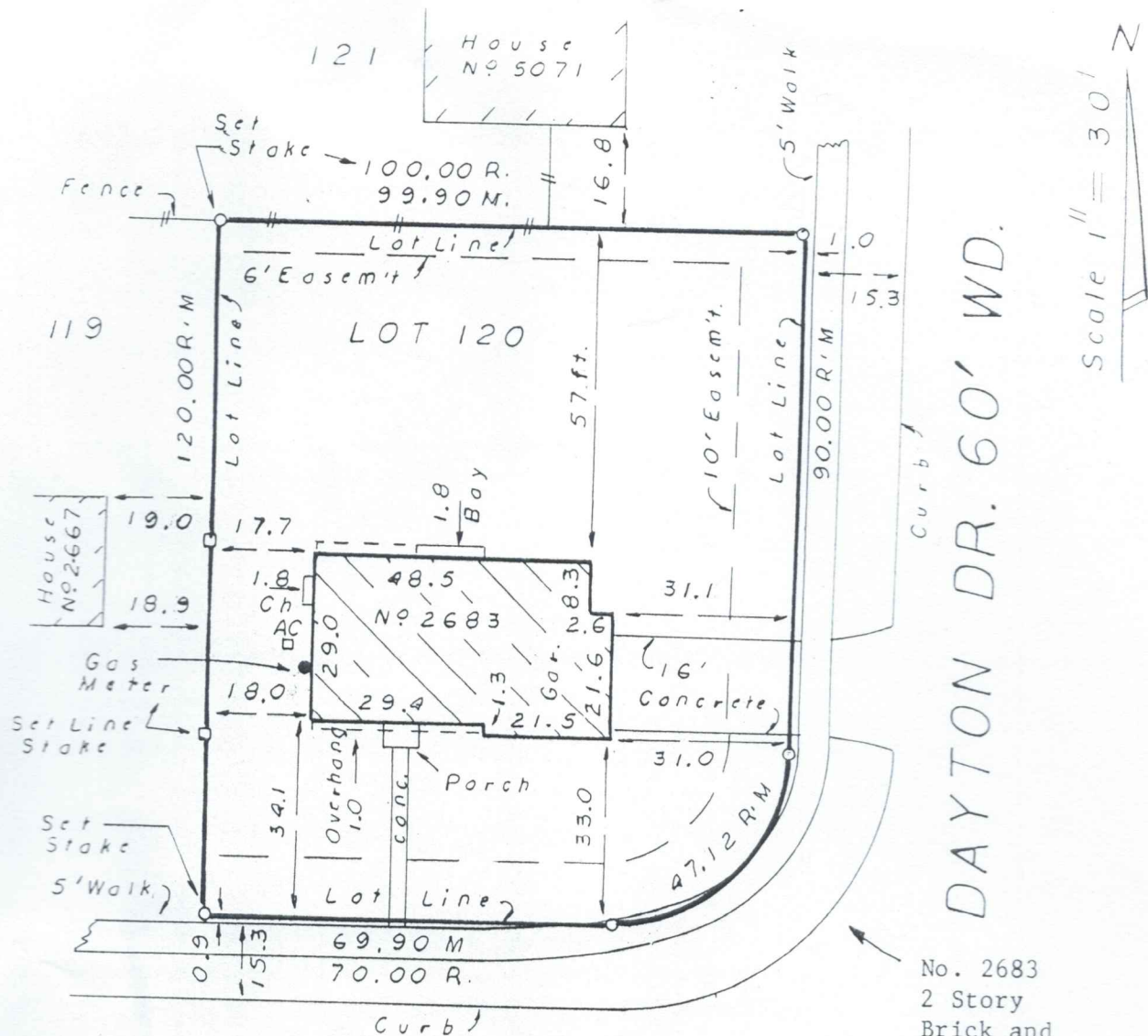
LEGAL DESCRIPTION OF PROPERTY:

Lot 120. WINDMILL POINT NORTH SUBDIVISION, part of the SE $\frac{1}{4}$ of
Section 12, T2N-R11E, CITY OF TROY, Oakland County, Michigan.
Plat recorded LIBER 130, PAGES 37-39, OCR.

RESIDENTIAL PLOT PLAN

Prepared For: Jessica Bailey
248-797-3476

CERTIFICATE OF SURVEY



DAYTON DR. 60' WD.

No. 2683
2 Story
Brick and
Frame Single
Residence with
Composition
Shingle Roof

LEGAL DESCRIPTION OF PROPERTY:

Lot 120. WINDMILL POINT NORTH SUBDIVISION, part of the SE $\frac{1}{4}$ of Section 12, T2N-R11E, CITY OF TROY, Oakland County, Michigan. Plat recorded LIBER 130, PAGES 37-39, OCR.

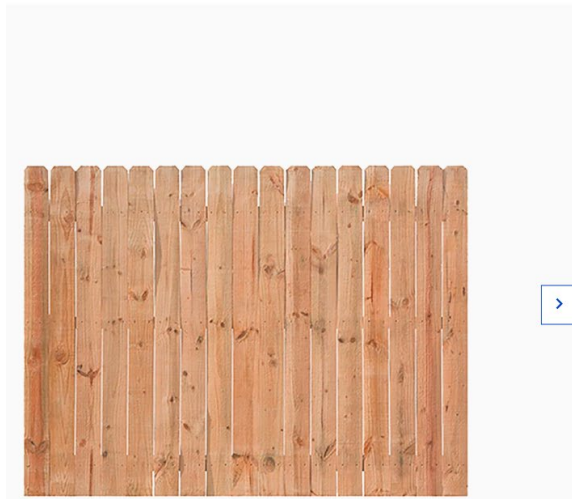
RESIDENTIAL PLOT PLAN

Prepared For: Jessica Bailey
248-797-3476



Construction Material:

Wood Fence to match existing fencing-



\$52.48

★★★★☆ 38
[View Q&A](#)

\$49.86

Save 5% on eligible purchases made with your Lowe's Advantage Card.

[Learn how](#)

Severe Weather 6-ft H x 8-ft W Pressure Treated Pine Dog Ear Fence Panel

Item #396146 Model #107066

- Pre-assembled panel for a quicker and easier installation
- Color treated for long-lasting beauty
- Provides privacy and security around your outdoor space

— +
Qty

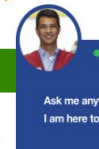
Hurry, Low in Stock

Add to Cart



Store Pickup

Unavailable for Pickup at Westland Lowe's



Posts-

Concrete-

Screws-



\$14.98

★★★★☆ 963

Severe Weather

4-in x 4-in x 8-ft #2 Pressure Treated Lumber

Model #448T240C



\$5.98

★★★★★ 1108

QUIKRETE

QUIKRETE 50-lb Fast Setting Concrete Mix

Model #100450



\$10.48

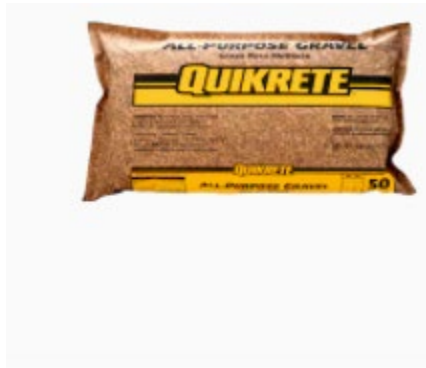
★★★★★ 126

Power Pro

10 x 3-in Bronze Epoxy Flat Exterior Wood Screws(70-Count)

Model #48309

Gravel-



\$3.98



QUIKRETE

QUIKRETE 50-cu ft Gravel

Model #115246

Construction Process:

- 1) Measure and determine the correct location of posts: 8' on center.
- 2) Dig the posthole to a depth of 36" and a diameter of 12"
- 3) Add gravel, Quikrete All-Purpose Gravel, to the bottom of the holes and tamp.
- 4) Position the posts in the hole correctly and clamp on 2x4's for bracing to hold in place.
- 5) Re-measure
- 6) Fill the hole with the dry fast-setting concrete mix until the mix sits approximately three inches below ground level.
- 7) Pour water on top of the dry concrete mix to the correct ratio listed on the bag.
- 8) Confirm post is still level and plumb and allow concrete to cure.
- 9) Once cured, fill in the remaining hole with leftover dirt.
- 10) Attach fence panels to the posts using exterior wood screws.

Fence

From: Stacey Tran (tranpalmer@gmail.com)
To: jessica.mazur987@gmail.com; cmazur@ymail.com
Date: Saturday, May 15, 2021, 05:56 PM EDT

To whom it may concern,
We (Tung and Stacey Tran) have no issue for our neighbors (Chris and Jessica Mazur) to expand their fenced in area by 16 ft or more. We live at 5071 Dayton Drive.

Sent from my iPhone

Sent from my iPhone













500 West Big Beaver
Troy, MI 48084

troy.mi.gov May 13, 2021

Christopher Mazur
2683 Dayton
Troy, MI 48085

RE: Fence Permit Application

This fence permit application is denied because the corner lot makes this a double front yard setback of 30' from property line. Chapter 83 fences of the City of Troy Ordinance states no fence may be erected in the front yard setback over a height of 30 inches, therefore I cannot approve this application.

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

Sincerely,

DANA V. SELF

Building Official
City of Troy/SAFEbuilt Inc.

- D. VARIANCE REQUEST, MICHAEL BOOKER SR. & LYNETTE BOOKER, 2026 BLUE SPRUCE** – This property is a double front corner lot. Per the City of Troy Zoning Ordinance, it is in the R-1C use district. As such per Chapter 83 of the City of Troy Code it has 30 feet required front setback along both John R & Blue Spruce Dr. The petitioner is requesting a Building Permit to install 103.5 feet of a 6-feet high, vinyl obscuring fence at the rear property line perpendicular to John R. Out of the 103.5 feet of fence, the petitioner is requesting a variance for the 30 feet that encroach into the John R 30 feet required setback. Where the City Code limits obscuring fences to 30 inches in height; due to the fact that there isn't a back-to-back relationship to the rear neighboring lot. CHAPTER 83



GIS Online



Legend:

Tax Parcel

2026
BLUE SPRUCE
R1-C
30' FRONT
SETBACK.

* 6' FENCE
(OBSCURING VINYL)
103.5 FEET.
- ONE FOOT AWAY
FROM SIDEWALK.

* 30 FEET
REQUIRED
FRONT SETBACK.

Notes:





Zoning Board of Appeals Application

planning@troymi.gov | Fee \$150.00

THE ZONING BOARD OF APPEALS MEETS THE **THIRD TUESDAY OF EACH MONTH AT 7:30 P.M. AT CITY HALL.** PLEASE FILE A COMPLETE DIGITAL APPLICATION AND FEE AT LEAST **29 DAYS BEFORE** THE MEETING DATE. PRE APPLICATION MEETING WITH PLANNING DEPARTMENT REQUIRED BEFORE FILING APPLICATION.

1. ADDRESS OF THE SUBJECT PROPERTY: 2026 Blue Spruce
2. PROPERTY TAX IDENTIFICATION NUMBER(S): unit 22, Tary Pines Condominium, Liber 21367, page 142-149, Oakland County
3. ZONING ORDINANCE SECTIONS RELATED TO THE REQUEST: RIC
4. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: NO
5. APPLICANT:

owner's

NAME Michael Booker SR. Lynette Booker

COMPANY Anchor Fence

ADDRESS 2026 Blue Spruce

CITY Troy STATE MI ZIP 48085

PHONE 313-350-0080

E-MAIL LHuckiebaer@AOL.com

AFFILIATION TO THE PROPERTY OWNER: Contractor

RECEIVED

MAY 04 2021

PLANNING



Zoning Board of Appeals Application

6. PROPERTY OWNER:

NAME Michael Booker Sr.
COMPANY _____
ADDRESS 2026 Blue Spruce
CITY Troy STATE MI ZIP 48085
TELEPHONE 313-350-0080
E-MAIL LHuckleber@AOL.com

The undersigned hereby declares 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, Michael Booker Sr. (APPLICANT) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO ENTER THE PROPERTY TO ASCERTAIN PRESENT CONDITIONS.

APPLICANT SIGNATURE [Signature] DATE 4/29/2021
PRINT NAME: Michael Booker Sr.

PROPERTY OWNER SIGNATURE [Signature] DATE 4/29/2021
PRINT NAME: Michael Booker Sr.

Lynette Booker 4/29/21

Failure of the applicant or their authorized representative to appear before the Board as scheduled shall be cause for denial or dismissal of the case with no refund of fees. The applicant will be notified of the time and date of the hearing by mail. If the person appearing before the Board is not the applicant or property owner, signed permission must be presented to the Board.

Approved variances are good for a one year period.



ANCHOR FENCE INC

26345 Plymouth Rd. Redford, MI 48239
www.Anchorfenceonline.com
E-mail: Sales@AnchorFenceOnline.com

Phone: 313-937-0101
Fax: 313-937-0404

Contract / Invoice

This Contract Supersedes Any And All Other Contracts Related To This Job. Any Changes and or Charges will Be In Written Form by our Office ONLY.

Customer: LYNETTE BOOKER Date: 7-9-20
Address: 1305L BLUE SPRUCE DR.
City & Zip: TROY MI 48065
Phone: 313-479-0728 Office: _____ Fax: _____
CONTACT PERSON: _____ Cell: _____
Purchase Order #: _____ Vendor #: _____
Email: _____

FENCE SPECIFICATIONS

C/L ☐ WOOD ☐ STEEL ☐ VINYL ☐ ALUM ☐
Style: TAHOE

4' ☐ 5' ☐ 6' ☒ 7' ☐ 8' ☐ 10' ☐ 12' ☐

11.5 ga. ☐ 9 ga. ☐ barb wire ☐ razor ribbon ☐

Color: White ☐ Almond ☐ Khaki ☐ Gray ☐ Brown ☐

Black ☐ Bronze ☐ Green ☐

Texture Vinyl ☐

Cap Style: 4x4

Cap Size: 4 x 4 ☐ 5 x 5 ☒

Top rail _____

Line post 12

Corner post _____

End post 2

Gate post _____

Panels _____

Pickets _____

Walk gate _____

Drive gate _____

Gate hardware _____

Clear Fence Line No

Tear out existing YES 103'6" CL

Haul away existing YES

HAUL AWAY DIRT, DEBRIS, ETC. (\$20.00 a hole) ☐

Concrete footings CONCRETE

Concrete breaks NO

Asphalt breaks NO

AIR LEVEL ☐

GRADE LEVEL ☒

Hard digs 9 160 2000

Core Drill NO

TOTAL FOOTAGE 103'6"

Customer Must Mark All Personal Electrical Wiring and All Sprinkler Systems

Does Miss Dig need to be called? Yes ☒ No ☐

1-800-482-7171

AUTHORIZATION #: _____

Staked By Date: _____

* IS A PERMIT NEEDED ? Yes ☐ No ☒

DEPOSIT AMOUNT: 2,200.00 DATE: 7/31/20

CHECK #: 7900 M/C ☐ VISA ☐ DIS ☐ AE ☐

DATE BAL. PD: _____ AMT. _____ CHECK #: _____

M/C ☐ VISA ☐ DIS ☐ AE ☐

SALESMAN: Bob

CONTRACT TERMS ON BACK OF SHEET

rev. 3/5/2020

*CUSTOMER SIGNATURE TO START JOB:

X Lynette Booker

*Customer Signature for Changes made by customer and for added Costs to Final Balance:

X COST TO BE ADDED: \$ _____

ANY CHANGES - MUST BE MADE THROUGH THE OFFICE BEFORE MATERIAL IS ORDERED OR DELIVERED.

PVC:\$ _____ WD:\$ _____ C/L:\$ _____ STL:\$ _____ ALM:\$ _____

☐ DIRT REMOVAL COST: _____ ☒ LEAVE DIRT

Diagram showing property layout with handwritten notes: "EXISTING CL", "103'6\"", "HOUSE", "GAR", "BLVD", "BLUE SPRUCE DR.", "CUSTOMER'S STREET". Includes a small table for "CUSTOMER INITIALS INSTALL TO:" with "AIR LEVEL" and "GRADE LEVEL" options.

Corner ☒ Interior ☐ SHOW DOORS on House or Bldg.

WE BEAT OR MATCH ALL QUOTES

FENCE CONTRACT AND TERMS

THE SUM OF EARNEST MONEY: \$ 4,370.00 + Permit

TERMS— RENDER 1/2 DOWN PRIOR TO START: \$ 2,185.00

CITY _____ OUR COST _____

PERMIT COST: VAIREF TO PULL: 7500 ← THESE 2 CHARGES WILL BE ADDED TO THE BALANCE

TOTAL FINAL BALANCE DUE ON COMPLETION: \$ _____

DATE COMPLETED: _____

INSTALLER(S): _____

CUSTOMER SIGNATURE ON COMPLETION: _____

DATE COMPLETED: _____

INSTALLER(S): _____

CUSTOMER SIGNATURE ON COMPLETION: _____

DATE COMPLETED: _____

INSTALLER(S): _____

CUSTOMER SIGNATURE ON COMPLETION: _____

DATE COMPLETED: _____

INSTALLER(S): _____

From: Salim Huerta Jr Salim.HuertaJr@troymt.gov
Subject: City of Troy Building Department
Date: Apr 27, 2021 at 10:36:59 AM
To: lhuckleber@aol.com

Hello,

Attached is a report for the fence permit PF2020-0165 denial at 2026 Blue Spruce.

Thank you,



Salim Huerta Jr.
Permit Technician I SAFEbuilt
City of Troy
O: 248.524.3352
F : 248.689.3120



Printed: Apr 27, 2021

Page: 1

Building Permit Report

Permit #	Status	Issue Dt	Location	Contractor	Applicant	Ty
PF2020-0165	DENIED		2026 BLUE SPRUCE	ANCHOR FENCE	ANCHOR FENCE	Fer

Records 1

A

PSEZ-BLANK

★ 65058 65059 65060

SEE OTHER SIDE FOR
OPENING INSTRUCTIONS



Patent Number US 7,975,904 B2

SEE OTHER SIDE FOR
OPENING INSTRUCTIONS



A

PSEZ-BLANK

★ 65058 65059 65060

A

PSEZ-BLANK

★ 650568 650559 65060

Patent Number US 7,976,904 B2

SEE OTHER SIDE FOR
OPENING INSTRUCTIONS





TROY PINES





John R Rd
Blue Spruce Dr









