

### 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

August 13, 2025 3:00 PM Council Chambers

- 1. ROLL CALL
- 2. <u>APPROVAL OF MINUTES</u> July 9, 2025
- 3. HEARING OF CASES:
  - A. <u>VARIANCE REQUEST, 2143 ALFRED, TYLER HIJAZI</u> This property is located within the R-1D zoning district which requires a front yard setback of 25 feet along Alfred. The zoning ordinance limits fence height to 30 inches (2.5 feet) within a front yard setback. The petitioner is seeking a fence height variance for the installation of a proposed new wood and mesh "Deer" fence which would be 6 feet in height and placed 1 foot away from the Alfred property line. The fence is proposed to run 30 feet along Alfred and return 24 feet back toward the house for a total variance length of 6 feet high wood and mesh "Deer" fence of 54 feet in the Alfred required front yard. Of the total 91 feet of fence requested, 37 feet of the fence complies with zoning regulations and does not require a variance.

**CHAPTER 83 FENCE CODE** 

B. <u>VARIANCE REQUEST</u>, 4819 ROCHESTER, KIM ALLARD for ALLIED SIGNS - Petitioner requests a sign area variance to install a replacement 56.25 square foot ground sign setback 12 feet from the planned or future right of way line, whichever is greater, where the Sign Ordinance requires the sign be no larger than 50 square feet. In order to grant a variance, the Board must find that all five appeals criteria of Chapter 85 Signs, Section 85.01.08, B, 1, are met.

**CHAPTER 85 SIGN CODE** 

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

Chair Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on July 9, 2025 in the Council Chamber of Troy City Hall.

### 1. ROLL CALL

Present

Gary Abitheira Teresa Brooks Matthew Dziurman Sande Frisen Frank Nastasi, City Manager

### Also Present

Salim Huerta, Building Official
Dominic Abate, Residential Plans Examiner/Building Inspector
Kathy L. Czarnecki, Recording Secretary

### 2. APPROVAL OF MINUTES – June 4, 2025

Moved by: Dziurman Support by: Brooks

**RESOLVED**, To approve the minutes of June 4, 2025 Regular meeting as submitted.

Yes: All present (5)

### **MOTION CARRIED**

### 3. <u>HEARING OF CASES</u>

Mr. Huerta addressed the role of the Board. He said decisions on cases should be based only on the information as submitted by the applicant and Board members should not become involved with the design or different options of each case.

A. <u>VARIANCE REQUEST, 505 LEETONIA, ERIN DZEROOGIAN</u> – This property consists of a corner lot. According to the City of Troy Zoning Ordinance, it qualifies as a corner lot with front lot lines along both Leetonia and Tallman. The property is located within the R-1C zoning district which requires a front yard setback of 30 feet, along both Leetonia and Tallman, where the Zoning Ordinance limits fence height to 30 inches (2.5 feet). The petitioner is seeking a fence height variance for the installation of a 6 feet high, vinyl, **replacement**, privacy fence. This fence is proposed to match the existing wood privacy fence 6 feet height and location of 12 feet away from the Tallman property line. The fence is proposed to run 81 feet along Tallman and return 18 feet, along the rear property line adjacent to the side yard of 4307 Tallman and return another 18 feet to the southeast corner of the house for a total variance length of 6 feet high vinyl privacy fence of 117 feet in the Tallman designated front yard. Of the total 276 feet of fence requested, 159 feet of the fence complies with zoning regulations and does not require a variance. *CHAPTER 83 FENCE CODE* 

Mr. Abate read the variance request narrative. He noted the applicant requested to postpone the item at the June 4, 2025 meeting to allow consideration by a full Board. Mr. Abate reported there was no public comment received by the department from the public notice. He addressed previous permits pulled for the fence and pool and noted no variances were sought on the property.

Erin Dzeroogian said the 25-year old fence was repaired often. She said they would like to replace the existing wood fence with a vinyl fence at the same location and at the same height.

Chair Abitheira opened the Public Hearing. Acknowledging there was no one present who wished to speak, Chair Abitheira closed the Public Hearing.

There was discussion on the information and pictures submitted with the request. The Board concluded there were no issues or concerns with granting the applicant's request for a replacement fence.

Moved by: Frisen Support by: Dziurman

**RESOLVED**, To **grant** a variance for 505 Leetonia, for the following reasons:

- 1. Exceptional characteristics of the property make compliance with the requirements of this Chapter substantially more difficult.
- 2. The characteristics which make compliance with the requirements of this Chapter are not of a personal nature.
- 3. The variance will not be harmful or alter the essential character of the area or further worsen the existing condition.

Yes: All present (5)

### **MOTION CARRIED**

B. <u>VARIANCE REQUEST, 5015 FALMOUTH, BRANDON YASSO</u> - This property consists of a corner lot. According to the City of Troy Zoning Ordinance, it qualifies as a corner lot with front lot lines along both Falmouth and E. Long Lake. The property is located within the R-1B zoning district which requires a front yard setback of 40 feet, along both Falmouth and E. Long Lake, where the zoning ordinance limits fence height to 30 inches (2.5 feet). The petitioner is seeking a fence height variance for the installation of a 6 feet high, vinyl, privacy fence. The fence is proposed to run 70 feet along E. Long Lake and return 35 feet, along the rear property line adjacent to the side yard of the Walnut Grove Estates open space preservation area and return another 35 feet to the southwest corner of the house for a total variance length of 6 feet high vinyl privacy fence of 140 feet in the E. Long Lake designated front yard. Of the total 242 feet of fence requested, 102 feet of the fence complies with zoning regulations and does not require a variance. *CHAPTER 83 FENCE CODE* 

Mr. Abate read the variance request narrative. He said the department received no public comment from the public notice. Mr. Abate confirmed there is no existing fence on the property.

Brandon Yasso addressed vehicular and foot traffic in the area. He said a 6 foot fence would provide a safe environment for their young children to play in the backyard. Mr. Yasso circulated a handwritten letter from neighboring residents, Deiter and Carol Profit of 300 E Long Lake, expressing support of the variance request. The letter is attached and hereof made a part of the record.

### There was discussion on:

- Information and pictures submitted with the request.
- Existing landscaping/bushes along E Long Lake will remain.
- Location of fence as relates to existing landscaping/bushes.
- Proposed 5 foot setback from the property line.
- Relationship of fence with existing fences along E Long Lake, specifically 5048 and 5054 E Long Lake.
- Department of Public Works (DPW) reviewed and approved the request as it relates to an existing easement on site.

### PUBLIC HEARING OPENED

 Bonnie Ferguson, 5033 Falmouth; expressed support for the variance request and fence.

### PUBLIC HEARING CLOSED

Moved by: Frisen
Support by: Dziurman

**RESOLVED**, To grant a variance for 5015 Falmouth, for the following reasons:

- 1. Exceptional characteristics of the property make compliance with the requirements of this Chapter substantially more difficult.
- 2. The characteristics which make compliance with the requirements of this Chapter are not of a personal nature.
- 3. The variance will not be harmful or alter the essential character of the area.

Yes: All present (5)

### **MOTION CARRIED**

C. VARIANCE REQUEST, 2109 JOANNE, NATHAN MARTIN —This property consists of a corner lot. According to the City of Troy Zoning Ordinance, it qualifies as a corner lot with front lot lines along both Joanne and Ledge. The property is located within the R-1B zoning district which requires a front yard setback of 40 feet, along both Joanne and Ledge, where the zoning ordinance limits fence height to 30 inches (2.5 feet). The petitioner is seeking a fence height variance for the installation of a 4 feet high, non-obscuring aluminum fence. The fence is proposed to run 66 feet along Ledge and return approximately 29.5 feet, along the rear property line adjacent to the side yard of 3815 Ledge and return another 27.5 feet to the southeast corner of the house for a total variance length of 4 feet high, non-obscuring aluminum fence of 123 feet in the Ledge designated front yard. Of the total 233 feet of fence requested, 110 feet of the fence complies with zoning regulations and does not require a variance. CHAPTER 83 FENCE CODE

Mr. Abate read the variance request narrative. He said the department received no public comment from the public notice. Mr. Abate addressed the administration's notation of a 12 feet maximum setback in relationship to the road curvature of Ledge (designated in yellow on page 56 of the agenda packet).

Nathan Martin said the fence would provide security and privacy for their dog and future children. He said there is a high volume of vehicular and foot traffic being so close to Coolidge.

Chair Abitheira opened the Public Hearing. Acknowledging there was no one present who wished to speak, Chair Abitheira closed the Public Hearing.

There was discussion on:

- Information and pictures submitted with the request.
- Location of the fence as relates to existing vegetation.
- Fence material and height.
- Location of fence in relationship to the road curvature of Ledge.
- Fence setback as noted by the administration of 12 feet maximum from Ledge.
- Maintenance of existing vegetation/bushes along property line shared with neighbor.

Mr. Martin said he and the fence contractor discussed angling the fence to follow the curvature of Ledge and allow a setback of 14 to 18 feet to create a greater distance from pedestrian traffic.

The Board and administration agreed the case is unique because of the road curvature of Ledge. The Board and administration discussed with the applicant a designation of a 12 feet minimum setback from the Ledge property line.

Moved by: Frisen
Support by: Dziurman

**RESOLVED**, To **grant** a variance for 2109 Joanne as proposed, with the caveat that the fence is located at a 12 feet minimum setback along the Ledge property line, for the following reason:

1. Exceptional characteristics of the property make compliance with the requirements of this Chapter substantially more difficult.

Yes: All present (5)

### **MOTION CARRIED**

D. <u>VARIANCE REQUEST</u>, 510 KENYON, KIMBERLY FENCE (MARGARET LONG) – This property consists of a corner lot. According to the City of Troy Zoning Ordinance, it qualifies as a corner as both lines separating said lot from the street shall be considered front lot lines along both facades fronting Kenyon at Jamaica. The property is located within the R-1E zoning district which requires a front yard setback of 25 feet along Kenyon, where the zoning ordinance limits fence height to 30 inches (2.5 feet) or to 48 inches of non-obscuring fence, where there is a common rear yard relationship with a lot in the same block (1401 Wacon). The petitioner is seeking a fence height variance for the installation of a wood, privacy fence exceeding the restrictions as set forth by the zoning ordinance.

### Fence section A:

Proposes a 6 feet high wood privacy fence to run a total of 29 feet along Kenyon and return 24 feet, along the rear property line adjacent to the rear yard of 1401 Wacon and return another 5.5 feet to the southwest corner of the garage, for a total variance length of 6 feet high wood privacy fence of 58.5 feet in the Kenyon designated front yard.

### Fence section B:

Proposes a 4 feet high wood privacy fence to run a total of 32 feet at the center section of the property, for a total variance length of 4 feet high wood privacy fence of 32 feet in the Kenyon designated front yard.

Of the total 127.5 feet of fence requested, 37 feet of the fence complies with zoning regulations and does not require a variance. CHAPTER 83 FENCE CODE

Mr. Abate read the variance request narrative. He said the department received no public comment from the public notice. Mr. Abate said most of the proposed fence is a replacement.

Gordon Miskelly of Kimberly Fence addressed the location, arrangement, material, height and construction of the proposed fencing. He said the existing fence is over 25 years old. Mr. Miskelly detailed the property layout of the homeowner's house, garage and driveway. He noted a massive tree stump, garden and water features on site were taken into consideration of the fence design.

Chair Abitheira opened the Public Hearing. Acknowledging there was no one present who wished to speak, Chair Abitheira closed the Public Hearing.

There was discussion on:

- Information and pictures submitted with the request.
- Uniqueness of property; size and shape of lot; orientation of house, driveway and garage.
- A variance was granted for the house addition in the rear.
- Location and dimensions of a triangular visual corner clearance area.
  - o Visual corner clearance is for safety concerns; not a requirement.
- GIS display of 1963 aerial image; shows transformation of subject property.
- Accessibility of driveway and garage is preference of homeowner.
- Replacement fence is permitted to vary from original fence design.
- No fence gate is proposed.

Some Board members stated the proposed fencing would add to the aesthetics and safety of the neighborhood.

Mr. Frisen expressed a concern the Board is essentially codifying a challenging situation, and he is not in favor of formally doing so. He said he believes there is a way to resolve the situation without any action taken by the Board.

Moved by: Dziurman Support by: Brooks

**RESOLVED**, To **grant** a variance for 510 Kenyon as proposed, with the caveat that (1) for a safety reason, an 8x8 foot sight line at a 45 degree diagonal be added on the west side of the property where the driveway is facing the sidewalk, and (2) the fence is set back a minimum of one foot off sidewalk, for the following reason:

 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.

Discuss	ion c	n the	motion	OΠ	the f	iloor
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There was a brief discussion on the visual corner clearance.

Vote on the motion on the floor.

Yes: Abitheira, Brooks, Dziurman

No: Frisen, Nastasi

### **MOTION CARRIED**

### 4. <u>COMMUNICATIONS</u>

None.

### 5. PUBLIC COMMENT

None.

### 6. <u>MISCELLANEOUS BUSINESS</u>

None.

### 7. <u>ADJOURNMENT</u>

The Regular meeting of the Building Code Board of Appeals adjourned at 4:19 p.m.

Respectfully submitted,

Gary Abitheira, Chair

Kathy L. Czarnecki, Recording Secretary

https://d.docs.live.net/2f7ed4fe5f664ea8/Documents/Kathy/COT Building Code Board of Appeals/Minutes/2025/2025 07 09 Draft.docx

A. <u>VARIANCE REQUEST, 2143 ALFRED, TYLER HIJAZI</u> - This property is located within the R-1D zoning district which requires a front yard setback of 25 feet along Alfred. The zoning ordinance limits fence height to 30 inches (2.5 feet) within a front yard setback. The petitioner is seeking a fence height variance for the installation of a proposed new wood and mesh "Deer" fence which would be 6 feet in height and placed 1 foot away from the Alfred property line. The fence is proposed to run 30 feet along Alfred and return 24 feet back toward the house for a total variance length of 6 feet high wood and mesh "Deer" fence of 54 feet in the Alfred required front yard. Of the total 91 feet of fence requested, 37 feet of the fence complies with zoning regulations and does not require a variance.

CHAPTER 83 FENCE CODE



<u>Fence Height Variance Request,</u> <u>2143 Alfred,</u> Applicant: Tyler Hijazi

This property is located within the R-1D zoning district which requires a front yard setback of 25 feet along Alfred. The zoning ordinance limits fence height to 30 inches (2.5 feet) within a front yard setback. The petitioner is seeking a fence height variance for the installation of a proposed new wood and mesh "Deer" fence which would be 6 feet in height and placed 1 foot away from the Alfred property line. The fence is proposed to run 30 feet along Alfred and return 24 feet back toward the house for a total variance length of 6 feet high wood and mesh "Deer" fence of 54 feet in the Alfred required front yard. Of the total 91 feet of fence requested, 37 feet of the fence complies with zoning regulations and does not require a variance.



### Application Requirements for 2143 Alfred Dr. deer fence appeal Tyler Hijazi 330-937-2595

### Description of Request-

- ► As the homeowner of 2143 Alfred Dr. I am requesting that I be approved to have a 6 foot deer fence around a potager garden to the side of my home.
- ► Construction materials include pressure treated lumber, cedar stain, quickrete, gravel, hog wire fencing, solar light caps, nails.
- ► Method of Construction- the fence was constructed by digging holes with an auger, placing 8 ft 4x4's in the hole, adding gravel for drainage, mixing quikrete, and allowing the poles to set. Afterward the wire fencing was unrolled and nailed to the posts before being topped off with decorative solar light caps. I would also like to add decorative corbels for charm and appeal.
- ► A decorative gate will be added to ensure the deer remain outside the garden

### Deer Fence-

- -According to the <a href="https://troymi.gov/departments/code\_enforcement/wildlife.php">https://troymi.gov/departments/code\_enforcement/wildlife.php</a> website, homeowners are to "Construct fences or put wiring around gardens or individual plants to protect from damage."
- The garden had to be placed here because the natural slope of the land will allow for rain water collection with subsequent gravity drainage into the garden to reduce water waste. There is also no appropriate space in the backyard because there are too many trees blocking the light and space from being used for gardening. The other side of the yard is occupied by a pool and is also not an option.

The fence is see-through and not a privacy fence in anyway.

The characteristics which make compliance with the requirements of the chapter difficult include-

- The fence will not be harmful or alter the essential character of the area, and in fact will improve the curb appeal
- ► Will not impair adequate supply of light and air to adjacent property. The adjacent property owner is a Troy Police officer and he has expressed full support of the project
- ► Will not affect street congestion in anyway
- Will not increase the danger of fire or public safety
- Will not diminish or impair established property values within the surrounding area. The neighborhood has expressed their support and excitement for the garden, and have stated the fence is nice looking and does not bother them in anyway.

### Monarch Butterfly Habitat-

Monarch butterflies migrate through Michigan, where they will spend their summer One of my goals for the garden is to have a certified butterfly garden through the North American Butterfly Organization

### City of Troy Fence Permit Application-

- According to the fence permit for the city of Troy-
- I have submitted a site plan accurate to scale, with distances and lot lines
- The fence is 6 feet or under
- There will be a gate for fire exit
- It is not in an easement zone
- ► There is no HOA in this side of the neighborhood, and in fact many of my approval signatures come from the other side of the street, which is an HOA neighborhood

### Petition of Approval-

All of these signatures are from my neighborhood, including those in direct view on my home. They have all either stated that they like the project and are excited to watch it unfold, or don't mind it because I own my home and they don't see a problem with it. I can get more signatures by the time my hearing takes place as well. As of right now there are 36 signatures.

From: **Dominic M Abate** 

HIJAZIRYAN@GMAIL.COM To: Subject: plan review - 2143 Alfred

Date: Tuesday, June 24, 2025 1:30:00 PM

Attachments: image001.png

image002.png image003.png image004.png image005.png image006.png

### Hello,

The Building Permit Application for 2143 Alfred has been denied as submitted for the following reason(s):

Per the City of Troy zoning ordinance Chapter 83 – fences:

All fences in residential areas separating properties shall be of an ornamental type. Such fences may be constructed of metal, wood or masonry.

Only new material, or such material as found to be structurally acceptable to the Chief Building Inspector, shall be used. In residential areas....

no fence shall be constructed to a height of more than thirty (30") inches above the existing grade of the land in that portion of the property in front

of the front building setback line..... The maximum heights requirements of this section may be waived with the approval of the Building Board of Appeals.

Please "reply" when submitting the requested information.

### Sincerely,



Dominic Abate Plans Examiner City of Troy O: 248.524.3432 F: 248.689.3120











City of Troy
500 W Big Beaver Rd, Troy MI 48084
248-524-3344
buildinginspection@troymi.gov

# FENCE PERMIT APPLICATION

NAME OF HOMEOWNER  CONSTRUCTION VAI			LUE			
Taler Hijari			approx.			
STREET ADDRESS A	ND JOB LOCATION (Street Numb	per NAME OF CITY	Y, VILLAGE OR TOWNSHIP IN I			
and Name) 2143		LOCATED		WHICH JOB IS		
2143	stiffer or.		Troy Michigan		Dakland County	
WHO IS THE AP	PLICANT	CONTRACTOR BUSIN	IESS NAME & LICENSEE NAME	CONTRACTOR LICENS		
				NUMBER	E EXPIRATION DATE	
Contractor	Homeowner					
ADDRESS (Street	Number and Name)	CITY		STATE	ZIP CODE	
TELEPHONE NUMBI	ER (Include area code)		EMAIL ADDRESS:			
WORKERS COMPEN	ISATION INSURANCE CARRIER (	or reason for exemption)	FEDERAL EMPLOYER ID NI	JMBER (OR REASON FOR	EXEMPTION)	
Section 23a of t	the state construction coc	de act of 1972, 1972	PA 230, MCL 125.1523a	prohibits a person	from conspiring to	
circumvent the	licensing requirements o	f this state relating t	o persons who are to pe	rform work on a resi	idential building or	
a residential sti	ructure. Violators of section	on 23a are subjected	to civil fines. I,   lul	ur Hijari		
(mame),	me Diwner	(title), at	test that the statements	, specifications, and	plans submitted	
proposed work	cation are true and comple	ete and contain a co	rrect description of the b	of MACI 125 1510 an	debot lama	
person authori	c. I further attest that this ized under MCL 125.1510(	2) to make the state	ments and attestations	contained in this and	d that I am a	
125.1510(2)		2) to make the state	and acceptations t	contained in tins app	Meation under wich	
SIGNATURE O	F CONTRACTOR OR HOME	EOWNER (Homeowr	er's signature indicates	DATE		
	ith Section VI. Homeowne					
* Lyh	Hini					
W/	Wey Voc					
I hereby certify	the fence work described on	this permit application	shall be installed by myse	If in my own home in	which I am living or	
about to occupy	/. All work shall be installed in	accordance of Chapte	r 83 of the Trov City Ordina	ince and shall not be e	nclosed covered up or	
put into operati	ion until it has been inspecte	ed and approved by th	e Cities Building Inspector.	I will cooperate with t	the Cities Building	
inspector and as	sume the responsibility to ar	range for necessary in	spections.			
			OSSITALEUS TRACIL			
	Type,	height, and lineal	feet of material to be	used:		
no.	TAIDON V	IAI				
be:	Wood	Wire )	Metal	Masonry	Other	
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NT FEE	110001	01E0 00				
HILLE	FEEE Under 300' \$150.00			Over 300' \$200.00		

# SITE DRAWING REQUIRED

- A site drawing or plot plan is required for fence permit submittal.
- All drawings shall be accurate and drawn to scale.
- The location of your fence and distances to your property and lot lines are required.
- Final lot grade shall be approved before a fence permit is issued.
- Fences under seven feet do not fall under the 2015 Michigan Building Code.
- Residential Fences cannot exceed 6 feet in height.
- Your Tax Parcels Map is available here: <a href="https://cms6.revize.com/revize/citytroymi/departments/maps/index.ph">https://cms6.revize.com/revize/citytroymi/departments/maps/index.ph</a>

## IMPORTANT INFORMATION

- It is <u>highly recommended</u> that the applicant and/or the owner hire a licensed Professional Surveyor for the proper placement of the fence.
- · All fence placement errors will be the responsibility of the applicant/owner, owner's agent, and fence company.
- · All disputes among property owners regarding the placement of a fence are a civil matter
- The City of Troy will not be inspecting for placement and the Plan Review executed by any or all staff member of the City of Troy will only be approving or disapproving based on the information submitted by the applicant and it will be limited to what is allowed to be installed per the Zoning Ordinance and City Codes.
- Fences 7 feet tall or over fall under the 2015 Michigan Building Code. A building permit will be required and permit review
  will be performed by the Building Department and the Planning Department.
- fire Department Fence Requirements: All commercial fence and/or gate projects of all heights shall be
- submitted for review to the Fire Department for emergency access to the site.

Approved By

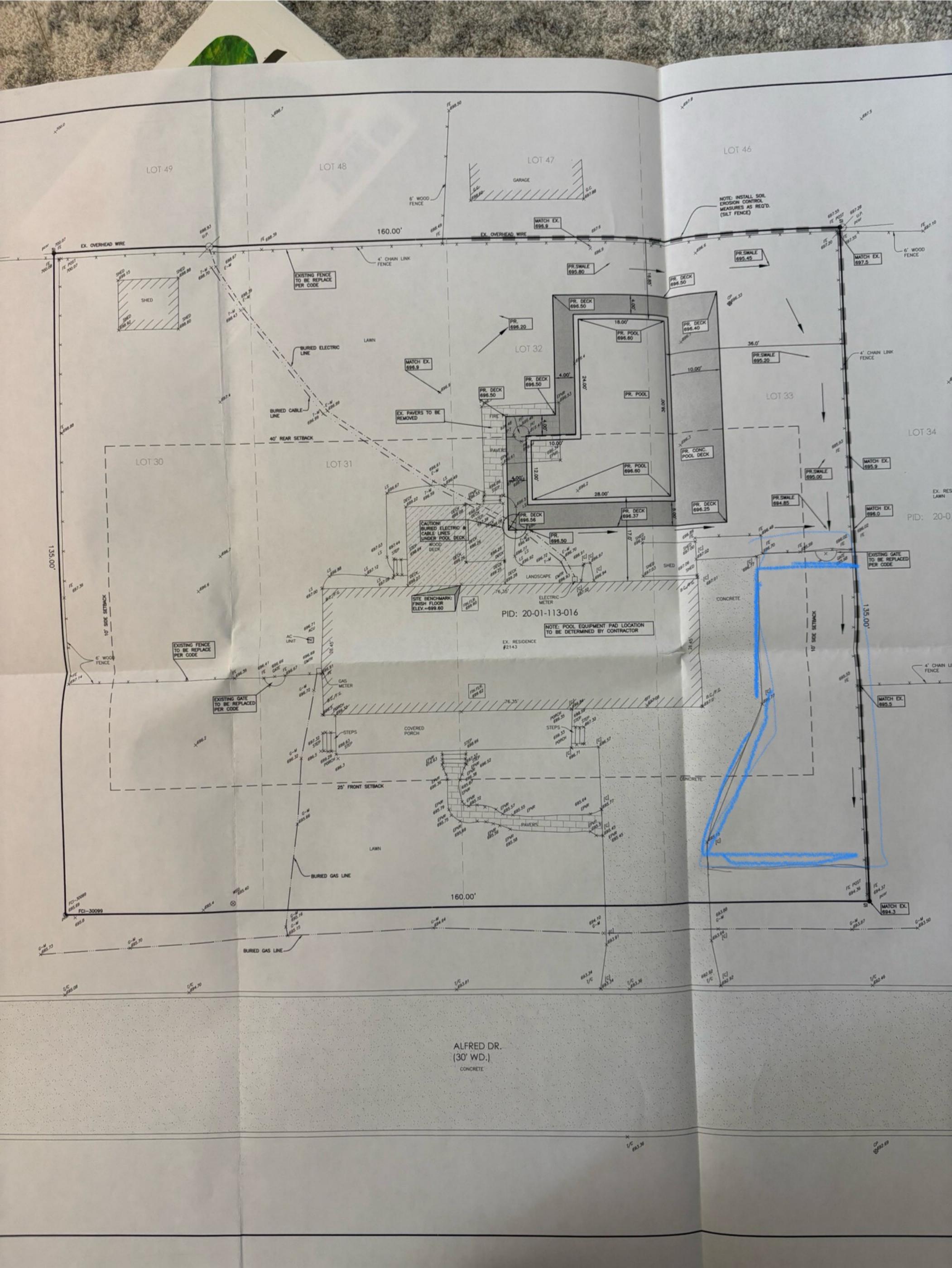
- Department of Public Works (DPW) Fence Requirements: No permit shall be issued for any fence construction within any
  easement without the approval of the Director of Public Works, or his authorized representative.
- The City of Troy Building Department strongly recommends that applicants check with the Home Owner's Association (HOA) for all alterations that could require approval including but not limited to, Fences, Pools, Decks, Patios, Additions, New Construction, Generators, Windows, Siding and others that could apply

# APPLICANT SIGNATURE RQUIRED

By signing I am confirming that I have read and understood all of the fence permit requirements.

Annlicant Signature	Tylablani		
Applicantoignature	7/10/1		

Date:



### 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 \$500.00

### 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.

L	E-MAIL
	ADDRESS OF THE SUBJECT PROPERTY: 2143 Alfred Dr.  ACREAGE PROPERTY: Attach legal description if this an acreage parcel
	PROPERTY TAX IDENTIFICATION NUMBER(S): 88-2°-01-113-016
3.	CODE NAME (e.g. "BUILDING CODE", "SIGN CODE", "FENCE CODE") AND SECTION(S) RELATED TO THE APPEAL:
	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:	SACE BOARD
	NAME_Tylur Hijazi	
	COMI ANT	CITY OF TROY PLANNING DEPARTMENT
	ADDRESS 2143 Alfred Dr.	STATE MT ZIP 48085
	TELEPHONE 330 - 937 - 2595	STATE ZIP 48003
	TELEPHONE 330 - 937 - 2595	11 100 100
	E-MAIL hijarityler @ gmail.com	
7.	APPLICANT'S AFFILIATION TO THE PROPERTY OWNE	R: Home owner
8.	OWNER OF SUBJECT PROPERTY:	REGULAR MEETINGS OF THE BUILDING COD
	NAME_Sarte	TA 14.7 BO.C. A. III.
	COMPANY	THAN TWENTY SEVEN (27) DAYS SECTION, TOO
	ADDRESSATAC DATE AND	SHI BRUTSDETAK TIDIDA ETA ISMOO
ING	THE NEXT AVAILABLE AGENDA OF THE BYTIO	_STATEZIF
L	TELEPHONE	
1	E-MAIL	
	13 harakta	that the application are true to the
The u	indersigned hereby declare(s) under penalty of perju of my (our) knowledge, information and belief.	ury that the contents of this application are true to the
		measurements and dimensions contained within this releases the City of Troy and its employees, officers,
and c	onsultants from any responsibility of liability with to	S CODE NAME (e.g. BUILDING CODE. SIGN CODE.
	1.14 Him (PROPERTY OV	(NER), HEREBY DEPOSE AND SAY THAT ALL THE
ABOV		IN THE INFORMATION SUBMITTED ARE TRUE AND MBERS AND CITY STAFF TO CONDUCT A SITE VISIT TO
CORF	RECTIAND GIVE PERMISSION FOR THE BOTTLE BOTT	
	1 1 Hisai	DATE 7/2/25
SIGNA	ATURE OF APPLICANT	DATE
PRINT	NAME: Type Hijati	5. HAVE THERE BEEN ANY PER AND ADDESS OF THE PARTY OF THE
	1 dia	DATE 7/2/25
SIGNA	ATURE OF PROPERTY OWNER	
PRINT	NAME: THE HIGHER Authorized represented	a Board on askedulari aball to
- "	- I the applicant of his/her audionzed represent	ntive to appear before the Board, as scheduled, shall be th no refund of appeal fee(s). If the person appearing signed permission must be presented to the Board.
justific	the Board is not the applicant or property owner,	signed permission must be presented to the Board.
The ap	oplicant will be notified of the time and date of the	hearing by electronic mail.

Revised 8/10/2023

SUB	JECT: APPEAL TO SA	VE THE 6 FT DEER FEM	ICE
		AT WE SUPPORT THE R AND OTHER WILDLI IOT HINDER THE CUR ORHOOD.	
NAME	ADDRESS	PHONE NUMBER	SIGNATURE
Rena Model	2154 Alfred A.	248-444-409	you the
Scott Allan	2171 Alfred	248-804-6693	En Sul
Zochery Meren	2118 Alfred Dr.	248-786-9773	Linda
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Michelle Stroke	2155 LAWIND	248-612-5572	me
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John Svoboda	587 Ranguay II	248-622-855	de
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View North into 2143 Alfred front yard along Alfred



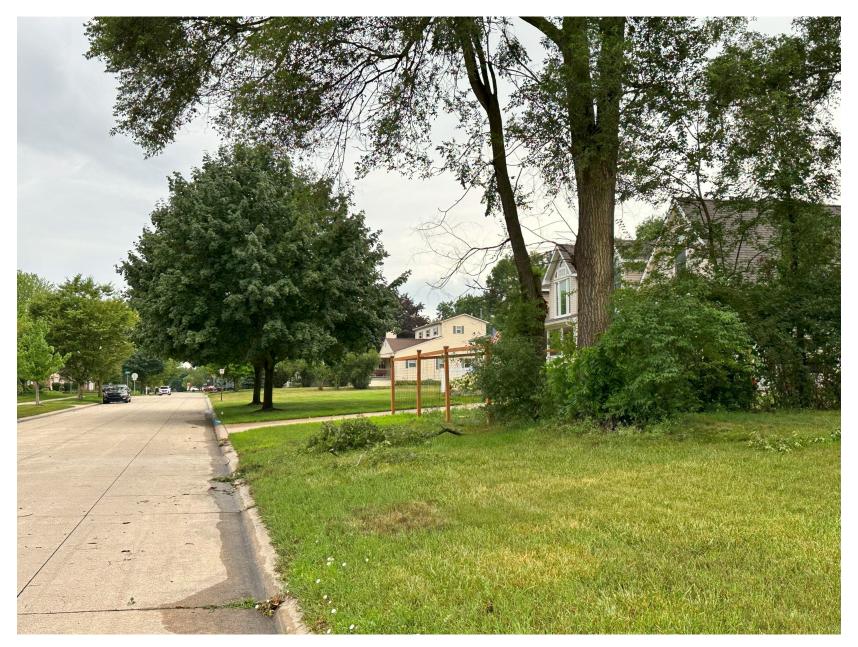
View North into 2143 Alfred front yard along Alfred



View East looking in front of 2143 Alfred



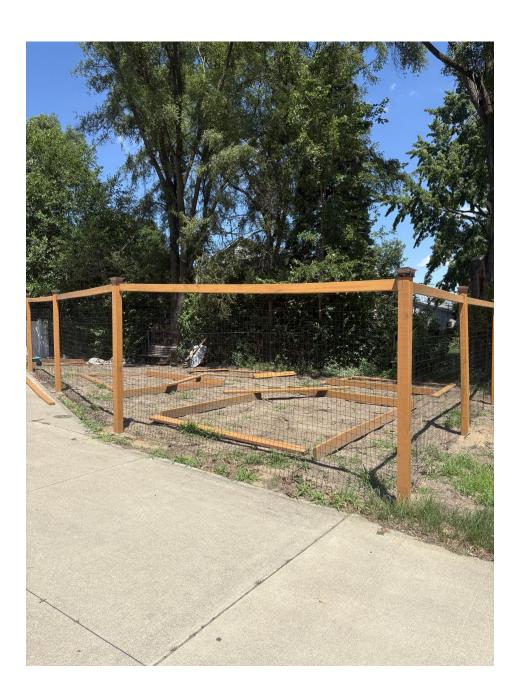
View East looking in front of 2143 Alfred



View West looking at 2143 Alfred front yard



View North into 2143 Alfred front yard





### Potager Garden-

A potager garden, also known as a <u>French kitchen garden</u>, is a decorative and functional garden designed for growing edible plants like vegetables, herbs, and fruits, often intermingled with flowers and other ornamental plants. It's a space where beauty and practicality meet, with an emphasis on both the aesthetic appeal and the ability to easily harvest fresh ingredients for the kitchen.





B. VARIANCE REQUEST, 4819 ROCHESTER, KIM ALLARD for ALLIED SIGNS - Petitioner requests a sign area variance to install a replacement 56.25 square foot ground sign setback 12 feet from the planned or future right of way line, whichever is greater, where the Sign Ordinance requires the sign be no larger than 50 square feet. In order to grant a variance, the Board must find that all five appeals criteria of Chapter 85 Signs, Section 85.01.08, B, 1, are met.

**CHAPTER 85 SIGN CODE** 



Sign Variance Request, 4819 Rochester, McDonalds USA LLC

Petitioner requests a sign area variance to install a replacement 56.25 square foot ground sign setback 12 feet from the planned or future right of way line, whichever is greater, where the Sign Ordinance requires the sign be no larger than 50 square feet. In order to grant a variance, the Board must find that all five appeals criteria of Chapter 85 Signs, Section 85.01.08, B, 1, are met.

Chapter 85 Signs



### 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 \$500.00

### 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: 4819 Rochester Rd.
	ACREAGE PROPERTY: Attach legal description if this an acreage parcel
2.	PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-15-201-036
3.	
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

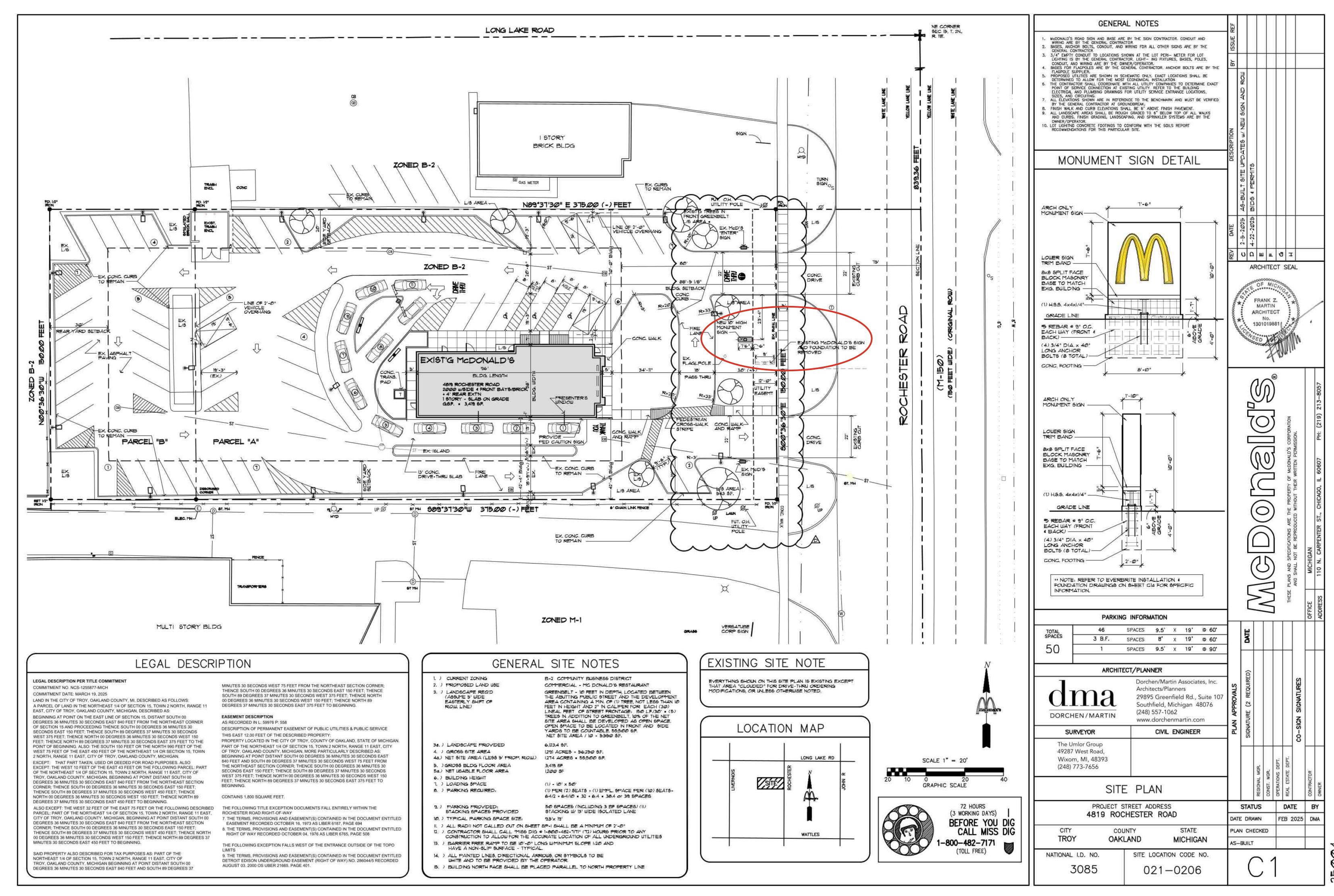
### SIGN CODE APPEALS CRITERIA

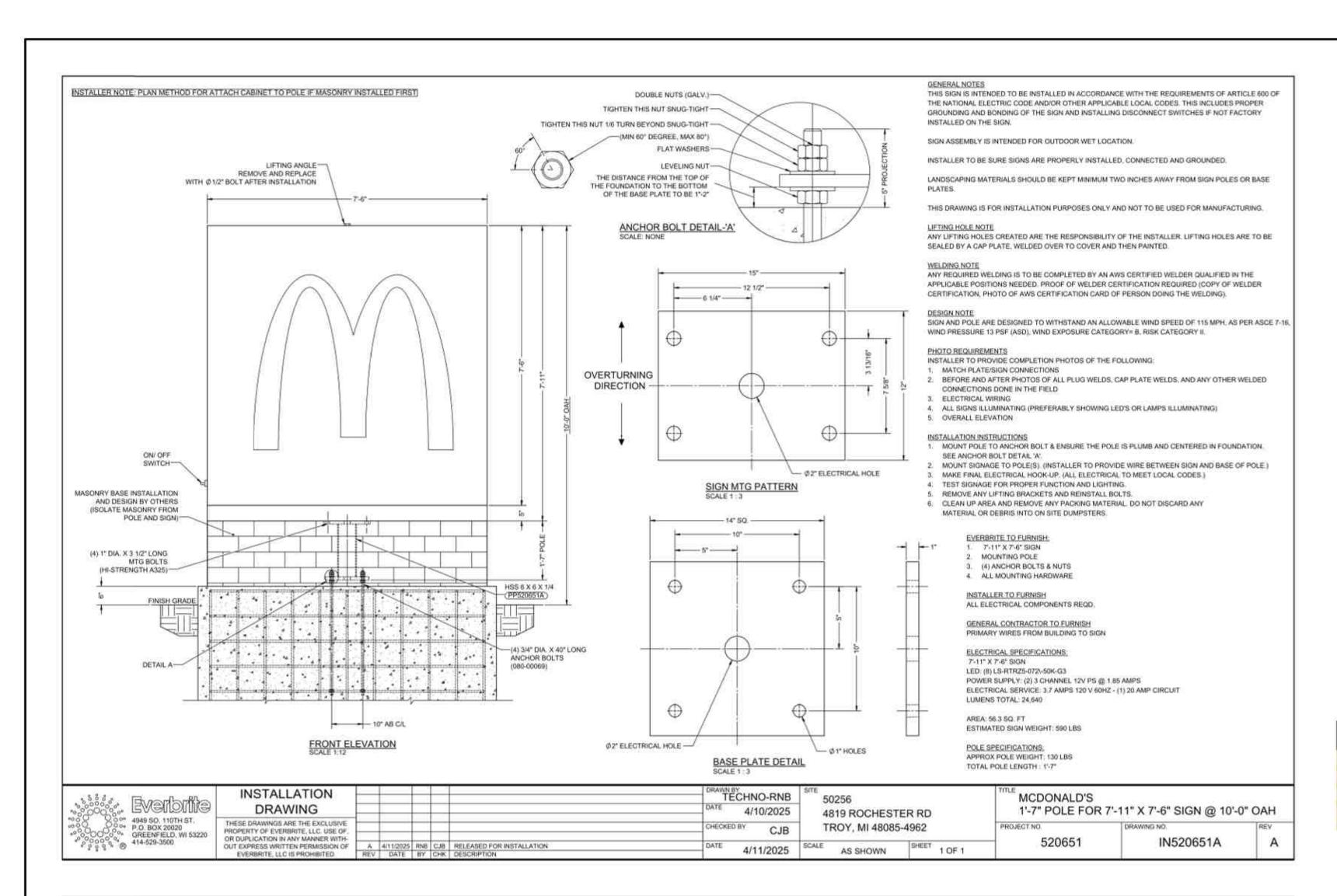
Subject to the provisions below, the Board of Appeals shall grant specific variances from the requirements of this Chapter, upon a showing of each of the following:

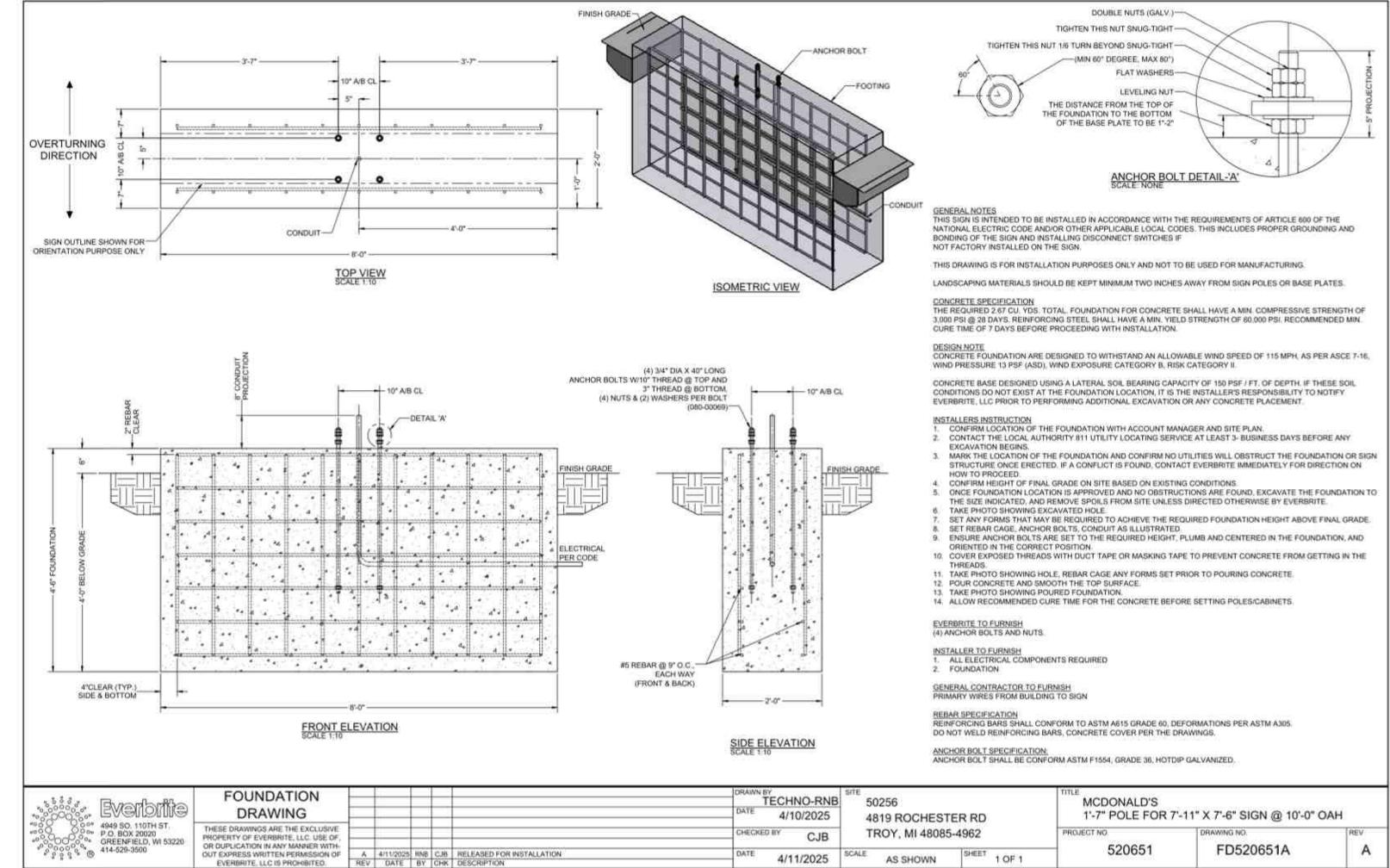
- a. Exceptional characteristics of the property for which the variance is sought make compliance with the requirements of this Chapter substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of property which shall be considered include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation, and other similar characteristics. There is a road expansion project that is happening and the right-of-ways have taken some the property, pushing the property lines back.
- 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; The request pertains to the related premises.
- c. The characteristics which make compliance with the requirements of this Chapter difficult shall not be of a personal nature; and **This is not of personal nature**.
- 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 This was not created by the owner as this request is part of a road expansion project that is forcing McDonald's to remove their existing pole sign.
- 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 in habitants of the City. The proposed variance will not affect any of this because it is replacing a pole sign that is already in place. We are requesting a 6 square foot variance to increase the allowable area of the ground sign.

-	AFFLICANT INFORMATION:		
	NAME Kim Allard		
	COMPANY Allied Signs, Inc.		
	ADDRESS 33650 Giftos		
	CITY Clinton Twp.	STATE MI	ZIP 48035
	TELEPHONE 586-791-7900	ra. Berta pradicioni	with the second
	E-MAIL Kim@alliedsignsinc.com		
7.	APPLICANT'S AFFILIATION TO THE PROPERTY	Sign contrac	tor
8.	OWNER OF SUBJECT PROPERTY:		
	NAME JOSEPH MINORIK		
	COMPANY McDonald's USA WW.		
	ADDRESS 10 N. CARPAUTOR STREET	(.	LA TELEPHONE ATTACANT LE
	CITY EM WAD	STATE 14	ZIP 60607
	TELEPHONE 219.213. 8057		
	E-MAIL JOSEPH, minorik Q Us, med,	Com-	
	undersigned hereby declare(s) under penalty of my (our) knowledge, information and belief.	of perjury that the contents	of this application are true to the
applic	applicant accepts all responsibility for all o ation, attachments and/or plans, and the app onsultants from any responsibility or liability v	plicant releases the City of	
CORRE	PROPERTY STATEMENTS AND STATEMENTS CONTACT AND GIVE PERMISSION FOR THE BOAR TAIN PRESENT CONDITIONS.	AINED IN THE INFORMATI	
	TURE OF APPLICANT MOULE	2	DATE
RINT	NAME: Kim Allard		
	$ \overline{\Lambda} $		0/10 0/
IGNAT	URE OF PROPERTY OWNER		DATE 06,18,25
RINT	IAME: DOOM MINOPHIC MUDO	ONAMOS MM.	
stifiab	of the applicant or his/her authorized repre- le cause for denial or dismissal of the ca	se with no refund of app	eal fee(s). If the person appears

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



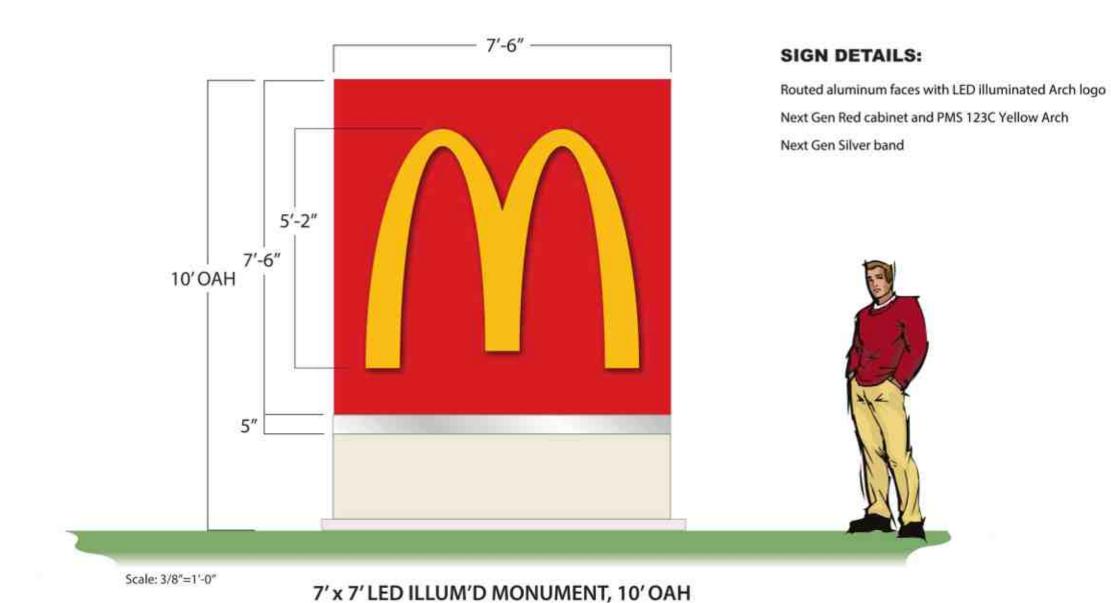




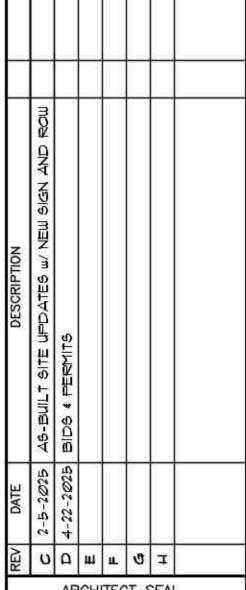
### 7'-6" Next Gen Monument Sign @ 10' OAH





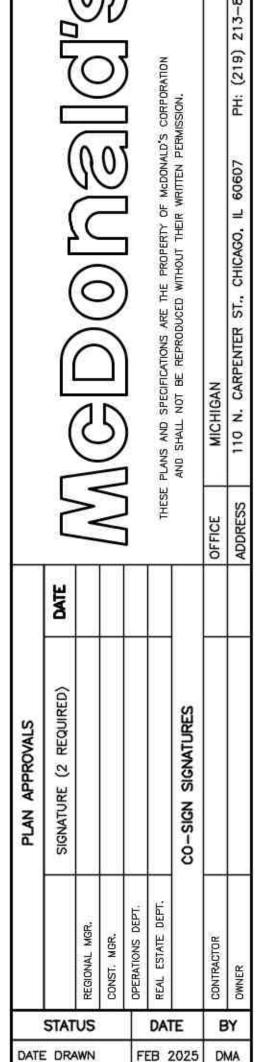


Everbrite	DISCLAI	MER: Renderings are for graphic p	urposes only and intended for actual construction dimensions. For v	indload requirements, actual dimensions and mounting detail,	please refer to engineering specifications and install drawings.	
Everbrite	© 2025 E	everbrite, LLC, all rights reser	ved. This document is confidential and proprietary to Everbrit	te, LLC. Any disclosure to a third party is expressly prohibited.		
Customer: MCDC: McDonald's Project No: 520651-1 Scale: 3/8"=1'-0"		Description: 7' x 7' LED illuminated	Customer Approval: Graphics and colors on file will be used unless otherwise specified by			
		monument sign, 10' OAH	customer. Please review drawing carefully. By signing below, you agree to graphics as shown above, and to location of sign as shown. Please return signed copy back to Everbrite.			
Date: 04/08/2025	Drawn	By: KW		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
Location & Site No: 4819 Rochester Rd 50256 Troy, MI 48085		Revised:	CUSTOMER SIGNATURE	DATE		
				LANDLORD SIGNATURE	DATE	



ARCHITECT SEAL





PLAN CHECKED

AS-BUILT

### UTILITY EASEMENT

### **EXHIBIT "A"**

### PARCEL 103

DESCRIPTION TAKEN FROM TITLE WORK FROM FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER 2208622 AND DATED JUNE 22, 2022.

### PARENT PROPERTY DESCRIPTION

PARCEL ID: 20-15-201-036

PROPERTY LOCATED IN THE CITY OF TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN

PART OF THE NORTHEAST 1/4 OF SECTION 15, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT POINT DISTANT SOUTH 00 DEGREES 36 MINUTES 30 SECONDS EAST 840 FEET AND SOUTH 89 DEGREES 37 MINUTES 30 SECONDS WEST 75 FEET FROM NORTHEAST SECTION CORNER; THENCE SOUTH 00 DEGREES 36 MINUTES 30 SECONDS EAST 150 FEET; THENCE SOUTH 89 DEGREES 37 MINUTES 30 SECONDS WEST 150 FEET; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 150 FEET; THENCE NORTH 89 DEGREES 37 MINUTES 30 SECONDS EAST 375 FEET TO BEGINNING.

SUBJECT TO RESERVATIONS, RESTRICTIONS AND EASEMENTS OF RECORD, IF ANY.

### **DESCRIPTION OF UTILITY EASEMENT**

THE EAST 12.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

PROPERTY LOCATED IN THE CITY OF TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN

PART OF THE NORTHEAST 1/4 OF SECTION 15, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT POINT DISTANT SOUTH 00 DEGREES 36 MINUTES 30 SECONDS EAST 840 FEET AND SOUTH 89 DEGREES 37 MINUTES 30 SECONDS WEST 75 FEET FROM NORTHEAST SECTION CORNER; THENCE SOUTH 00 DEGREES 36 MINUTES 30 SECONDS EAST 150 FEET; THENCE SOUTH 89 DEGREES 37 MINUTES 30 SECONDS WEST 375 FEET; THENCE NORTH 00 DEGREES 36 MINUTES 30 SECONDS WEST 150 FEET; THENCE NORTH 89 DEGREES 37 MINUTES 30 SECONDS EAST 375 FEET TO BEGINNING.

CONTAINS 1,800 SQUARE FEET.

JOB NO. 20160715 DATE 01/16/23



555 HULET DRIVE BLOOMFIELD HILLS, MICH.

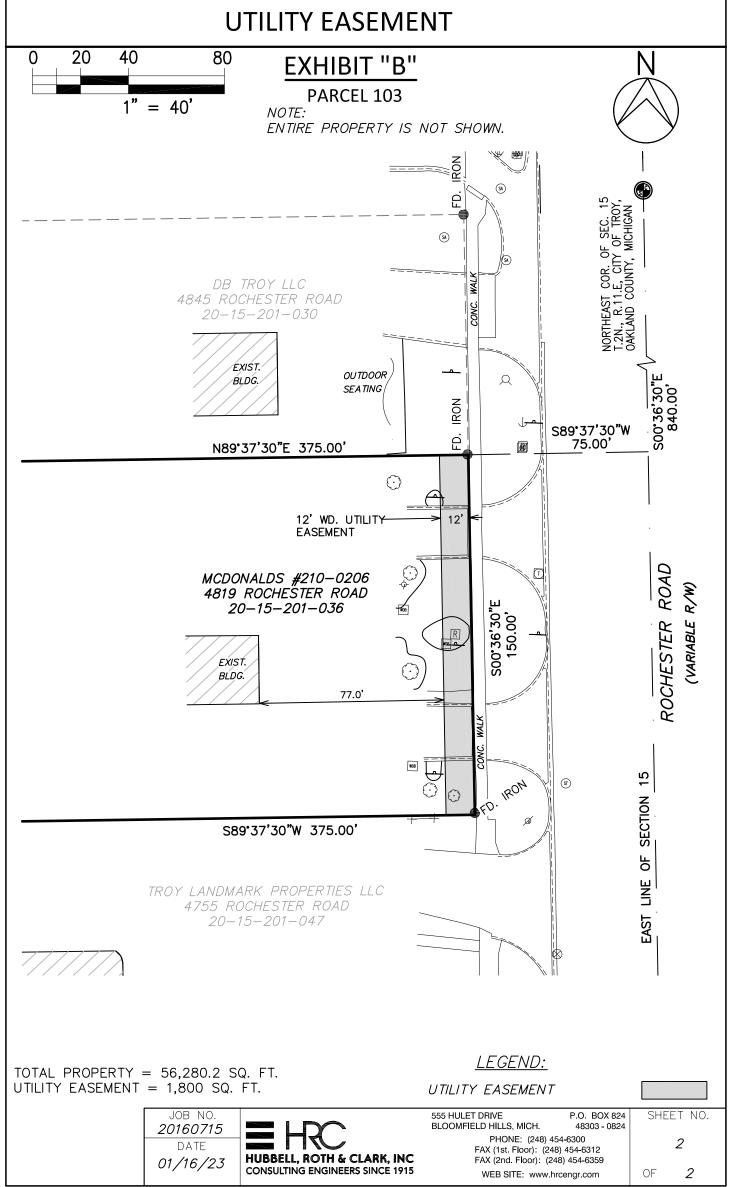
RIVE P.O. BOX 824 HILLS, MICH. 48303 - 0824 PHONE: (248) 454-6300

OF

2

FAX (1st. Floor): (248) 454-6312 FAX (2nd. Floor): (248) 454-6359 WEB SITE: www.hrcengr.com

X 824 SHEET NO. 0824





View South from West side of Rochester Road



View South from West side of Rochester Road



View South from West side of Rochester Road



View North from West side of Rochester Road



View North from West side of Rochester Road



View Northwest from East side of Rochester Road



View Southwest from East side of Rochester Road