

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

September 3, 2025 3:00 PM Council Chambers

- 1. ROLL CALL
- 2. APPROVAL OF MINUTES August 13, 2025
- 3. HEARING OF CASES:
 - A. <u>VARIANCE REQUEST</u>, 2143 ALFRED, 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.

CHAPTER 83 FENCE CODE

B. VARIANCE REQUEST, 5027 SHADY CREEK, ASHLEY NARAYANAN - 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 Shady Creek 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 Shady Creek and E. Long Lake, where the zoning ordinance limits fence height in the front yard 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 72 feet along E. Long Lake and return 11.5 feet to the south face of the house for a total variance length of 6 feet high vinyl privacy fence of 83.5 feet in the E. Long Lake designated front yard. Of the total 163.8 feet of fence requested, 80.3 feet of the fence complies with zoning regulations and does not require a variance.

CHAPTER 83 FENCE CODE

- 4. <u>COMMUNICATIONS</u>
- 5. PUBLIC COMMENT
- 6. <u>MISCELLANEOUS BUSINESS</u>
- 7. ADJOURNMENT

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

Chair Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on August 13, 2025 in the Council Chamber of Troy City Hall.

1. ROLL CALL

Present

Gary Abitheira Teresa Brooks Matthew Dziurman

Absent:

Sande Frisen

Frank Nastasi, City Manager

Also Present

Salim Huerta, Building Official Dominic Abate, Residential Plans Examiner/Building Inspector Allan Motzny, Assistant City Attorney Kathy L. Czarnecki, Recording Secretary

2. <u>APPROVAL OF MINUTES</u> – July 9, 2025

Moved by: Dziurman Support by: Brooks

RESOLVED, To approve the minutes of July 9, 2025 Regular meeting as submitted.

Yes: All present (3) Absent: Frisen, Nastasi

MOTION CARRIED

3. HEARING OF CASES

A. <u>VARIANCE REQUEST</u>, 2143 ALFRED, 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. *CHAPTER 83 FENCE CODE*

Mr. Abate read the variance request narrative. He stated the property was cited with an enforcement, EN2025-0058 Working Without a Permit.

Chair Abitheira advised the petitioner that three votes are required for approval and that a postponement of the item could be requested until a full Board is present.

The petitioner Tyler Hijazi requested a postponement.

Moved by: Dziurman Support by: Brooks

RESOLVED, To **postpone** a variance request for 2143 Alfred to the September 3, 2025 regularly scheduled Board meeting.

Yes: All present (3) Absent: Frisen, Nastasi

MOTION CARRIED

B. VARIANCE REQUEST, 4819 ROCHESTER, KIM ALLARD for ALLIED SIGNS – The petitioner requests a sign area variance to install a replacement 56.25 square foot ground sign set back 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

Mr. Abate read the variance request narrative. He reminded the Board members that all five appeals criteria of Chapter 85 Signs must be met to grant a variance. Mr. Abate stated the former 135 square foot sign had to be removed because of the widening of Rochester Road. Mr. Abate said placing a sign on the lot line is not an option because of a 12 foot easement. He said the department received no communications in response to the public notice.

Present were Bob Bongiorno of McDonald's and Attorney Jerry Pesick.

Chair Abitheira advised the petitioner that three votes are required for approval and that a postponement of the item could be requested until a full Board is present.

Mr. Bongiorno asked to go forward with the request. He said McDonald's at their expense removed the former sign due to eminent domain. Mr. Bongiorno addressed the size and setback of the proposed new sign. He said the former sign was a larger digital sign.

Mr. Pesick said the City requested removal of the former sign by July 31, 2025. He said McDonald's is at no fault and acted in good faith. Mr. Pesick stated the proposed sign is a precast mold monument sign of the McDonald brand. He said this McDonald's location has less exposure compared to other McDonald's locations and there was a loss of 40% in sales since the removal of the sign.

Some comments during discussion related to the following:

- Information and pictures submitted with the request.
- Size and type of proposed sign compared to former sign.
- Sign type; ground monument precast mold McDonald brand, no digital, not aerial, height complies.
- Hardship placed on the petitioner.
- Existing utility easements appear not to obstruct the sign placement.
- Effect of the Rochester Road widening and potential hardship on businesses.
- Sign Ordinance size limitation to 50 square feet.
- Landscaping; no additional landscaping is proposed nor is it required.
- Illumination of sign if any require compliance with the Zoning Ordinance.

Mr. Dziurman said he finds, from the perspective of the Zoning Ordinance, the only hardship is the petitioner's request to install a McDonald's brand sign, and the petitioner could install a sign that meets the size requirements of the Zoning Ordinance.

Mr. Huerta stated the purpose of this Board is making decisions beyond the Zoning Ordinance requirements.

Ms. Brooks said the Board could very well be setting a precedent with its decision today because other businesses might come before this Board requesting variances related to the eminent domain. She said the request for an additional seven (7) square feet is not excessive and it could provide more visibility for McDonald's at this location and boost its sales.

Chair Abitheira finds the petitioner has a solid hardship because the City is taking its property. He said a sign with less square footage and no digital components could be considered more appealing. Chair Abitheira said McDonald's action to remove its sign and comply with the City request reveals its intent to be a good neighbor.

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

After a brief discussion with Mr. Pesick, Mr. Bongiorno asked to go forward with a vote. Mr. Bongiorno said he believes it is in the best interest of the City to work with McDonald's and other businesses that might be affected by the eminent domain.

Moved by: Brooks
Support by: Dziurman

RESOLVED, That a sign ordinance variance request for 4819 Rochester be **granted**, for the following reasons:

1. Exceptional characteristics of the property for which the variance is sought make compliance with the requirements difficult because the road expansion project has put this property into a unique situation.

- 2. The characteristics which make compliance with the requirements of this Chapter difficult are related to the eminent domain and the situation it created.
- 3. The characteristics which make compliance with the requirements of this Chapter difficult are not of a personal nature. The property owner did not create the situation.
- 4. The characteristics which make compliance with the requirements of this Chapter difficult was not created by the owner, a previous owner, or the applicant, as previously stated. The road expansion project is not the doing of the applicant.
- 5. The proposed variance will not be harmful or alter the essential character of the area in which the property is located, and the proposed variance will not affect any of the area by replacing a pole sign. The applicant is creating a good environment.

Yes: All present (3)
Absent: Frisen, Nastasi

MOTION CARRIED

4.	COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS

None.

7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:51 p.m.

Respectfully submitted,	
Gary Abitheira, Chair	

Kathy L. Czarnecki, Recording Secretary

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A. <u>VARIANCE REQUEST</u>, 2143 ALFRED, 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.

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 https://troymi.gov/departments/code_enforcement/wildlife.php 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 HOMEON	WNER		CONSTRUCTION VAL	LUE	
Talur	Hijaru		82500	approx.	
STREET ADDRESS A	ND JOB LOCATION (Street Numb	per NAME OF CITY	VILLAGE OR TOWNSHIP IN		
and Name) 2143		LOCATED		WITH JOB IS	
2145	Hiller C.		Troy Michigan		Oakland County
WHO IS THE AP	PLICANT	CONTRACTOR BUSINI	ESS NAME & LICENSEE NAME	CONTRACTOR LICENS	
				NUMBER	EXPIRATION DATE
Contractor	Homeowner				
ADDRESS (Street I	Number and Name)	CITY		STATE	ZIP CODE
TEL EDITORIE AUTIRADE					
TELEPHONE NUMBE	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 coo	de act of 1972, 1972	PA 230, MCL 125.1523a	prohibits a person	from conspiring to
circumvent the	licensing requirements of	f this state relating to	persons who are to pe	rform work on a res	idential building or
a residential str	ructure. Violators of section	on 23a are subjected	to civil fines. I, 14	ur Hijari	
(mame),	me buner	(title), att	test that the statements	, specifications, and	plans submitted
proposed work	cation are true and comple	ete and contain a cor	rect description of the b	of MACI 125 1510 25	, lot or parcel, and
person authori	c. I further attest that this zed under MCL 125.1510(2) to make the state	ments and attestations	contained in this and	alication under MCI
125.1510(2)		2) to make the state	ments and accestations t	somed in tins app	oncation under wich
SIGNATURE OF	F CONTRACTOR OR HOME	EOWNER (Homeown	er's signature indicates	DATE	
	ith Section VI. Homeowne				
* Lyh	Hini				
- U-/	Way 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 Chapter	83 of the Troy City Ordina	ance and shall not be e	enclosed covered up or
put into operati	ion until it has been inspecte	ed and approved by the	Cities Building Inspector.	I will cooperate with	the Cities Building
rispector and as	sume the responsibility to ar	rrange for necessary ins	spections.		
			THE STATE OF THE STATE		
	Type,	height, and lineal f	eet of material to be	used:	
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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: https://cms6.revize.com/revize/citytroymi/departments/maps/index.ph

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

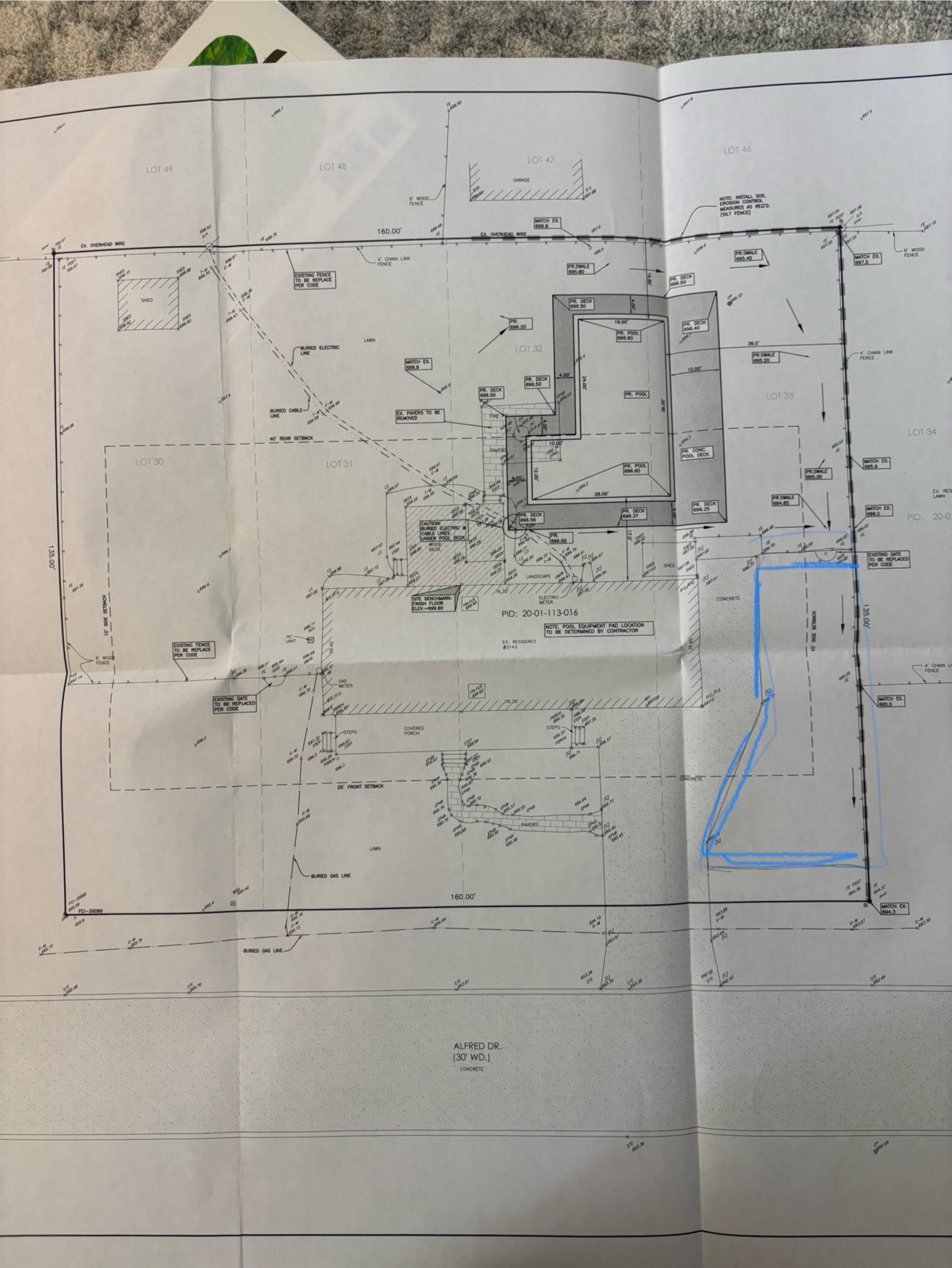
- Department of Public Works (DPW) Fence Requirements: No permit shall be issued for any fence construction within any
 easement without the approval of the Director of Public Works, or his authorized representative.
- The City of Troy Building Department strongly recommends that applicants check with 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	XXXXXX	
Applicant orginature.	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:	ORACE BUCS EMICSION
	NAME_Tylur HijaZi	
	COMI ANT	CITY OF TROY PLANNING DEPARTMENT
	ADDRESS 2143 Alfred Dr.	STATE MI ZIP 48085
	TELEPHONE 330 - 937 - 2595	STATE MI ZIP 48003
	TELEPHONE 330 - 937 - 2595	(A 1 803 PM
	E-MAIL hijarityler @ gmail.com	
7.	APPLICANT'S AFFILIATION TO THE PROPERTY OWNE	ER: Home owner
8.	OWNER OF SUBJECT PROPERTY:	REGULAR METINGS OF THE BUILDING CODE
	NAME	TA . 84. T. 8010 - A . 8 . 8 . 8 . 8 . 8 . 8 . 8 . 8 . 8 .
	COMPANY	THAN TWENTY SEVEN (27) DAYS DESCORE THE
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	YS ASENT	that the contents of this application are true to the
The u	indersigned hereby declare(s) under penalty of per of my (our) knowledge, information and belief.	jury that the contents of this application are true to the
		measurements and dimensions contained within this treleases the City of Troy and its employees, officers,
and c	onsultants from any responsibility of liability with the	3 CODE NAME (e.g. "BUILDING CODE", "SIGNI CODE", "F
	1.14 Him (PROPERTY O'	WNER), 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 METERS IN PRESENT CONDITIONS.	
		DATE 7/2/25
SIGNA	ATURE OF APPLICANT	DAIL
PRINT	NAME: Type Hijati	5. HAVE THERE SEEN ANY PORTER OF THE PROPERTY
	1 1 1/10	DATE 7/2/25
SIGNA	ATURE OF PROPERTY OWNER	DATE
PRINT	NAME: THE HIGHER Authorized represent	the Popular appointed about the
- "	- I the andicant of his/her authorized represent	tative to appear before the Board, as scheduled, shall be with no refund of appeal fee(s). If the person appearing signed permission must be presented to the Board.
justifia	able cause for denial of dishinssul of the december the Board is not the applicant or property owner,	signed permission must be presented to the Board.
The ai	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	2194 Alfred A.	248-444-409	for se
Scott Allan	2171 Alfred	248-804-6693	Zul
Zochery Meren	2118 Alfred Dr.	248-786-9773	Linda
Linda Choo	CEOG EgithC1	248-416-4317	Zat
Bami Helt	659 y weither		
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Janan Darancos	6490 Shoreinel	248-854-197	74 114
Rick DiBARTO BARO	647 SAGARWE	2483316098	pul
Bianca Kiza	2187 Laxosid	5 200 820 912	15
Mike Kiza	7187 lakes	F-220 813202	o ace
Michelle Stack	2155 LAYUNUD	- 248-1012-0572	me
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John Surpeda	S87 RAMBURY I	248-622-855	de
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	2627 Run bounds	248 756 3555	NAMA
Lana Zaghmart	2130 Alfred Pr	586-871-9049	He m. Cx
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Ann Hogan	215 Alfred	248,225,7522	any of Hor
Jan Humananan	2088 Gullver	245 709 9422	Barrens
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Nicol Mullins	2036 Chancery	248-225-2322	Nuch Million
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Lauren Morey	2107 chancery	616-450-0642	Law Was
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View North into 2143 Alfred front yard along Alfred



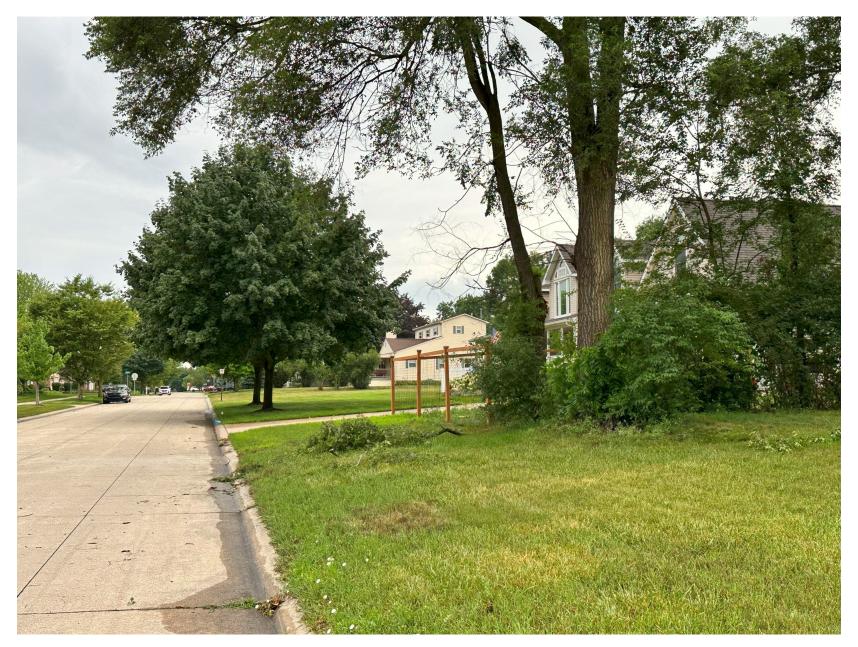
View North into 2143 Alfred front yard along Alfred



View East looking in front of 2143 Alfred



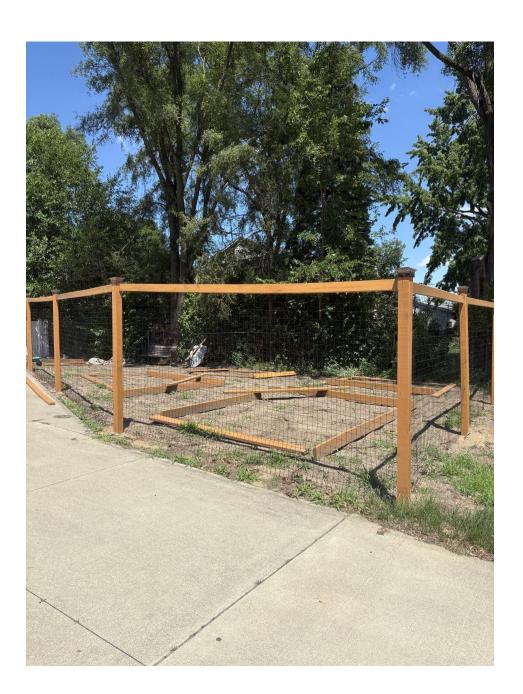
View East looking in front of 2143 Alfred

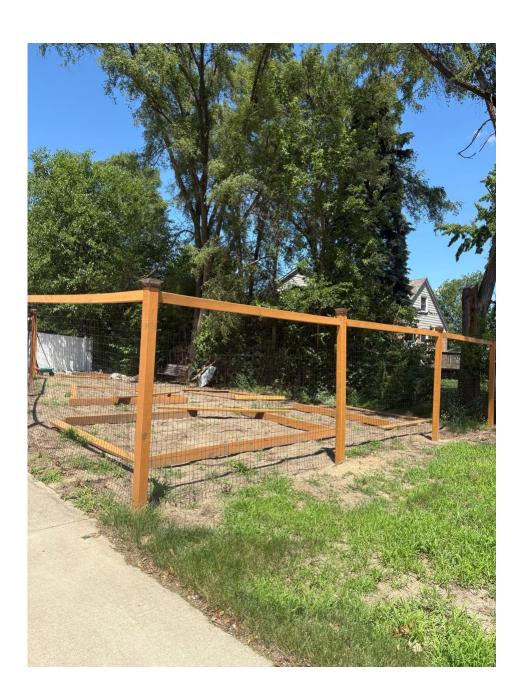


View West looking at 2143 Alfred front yard



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, 5027 SHADY CREEK, ASHLEY NARAYANAN - 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 Shady Creek 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 Shady Creek and E. Long Lake, where the zoning ordinance limits fence height in the front yard 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 72 feet along E. Long Lake and return 11.5 feet to the south face of the house for a total variance length of 6 feet high vinyl privacy fence of 83.5 feet in the E. Long Lake designated front yard. Of the total 163.8 feet of fence requested, 80.3 feet of the fence complies with zoning regulations and does not require a variance.

CHAPTER 83 FENCE COD



<u>Fence Height Variance Request,</u> <u>5027 Shady Creek,</u> Applicant: Ashley Narayanan

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 Shady Creek 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 Shady Creek and E. Long Lake, where the zoning ordinance limits fence height in the front yard 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 72 feet along E. Long Lake and return 11.5 feet to the south face of the house for a total variance length of 6 feet high vinyl privacy fence of 83.5 feet in the E. Long Lake designated front yard. Of the total 163.8 feet of fence requested, 80.3 feet of the fence complies with zoning regulations and does not require a variance.

Chapter 83 - Fences.



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

FENCE PERMIT APPLICATION

NAME OF HOMEOWNE	B		CONCEDUCTION	ur			
Ashley NaraYan		CONSTRUCTION VALL	UE				
• • • • • • • • • • • • • • • • • • • •			\$10,836.00				
and Name)	IOB LOCATION (Street Number	NAME OF CITY	, VILLAGE OR TOWNSHIP IN W	HICH JOB IS			
5027 Shady Cre	ek -		Troy Michigan		Oakla	nd County	
SOLY SHOOT OF							
WHO IS THE APPLI	CANT	CONTRACTOR BUSIN	ESS NAME & LICENSEE NAME	CONTRACTOR LIC	CENSE	EXPIRATION DAT	
				NUMBER			
(Contractor)	Homeowner	AIS Installation	s / Michael Anderso	n 2102213	708	5/31/2028	
ADDRESS (Street Nur	mber and Name)	CITY		STATE		ZIP CODE	
6040 Wall St		Sterling H	eights	MI		48312	
TELEPHONE NUMBER (I	nclude area code)		EMAIL ADDRESS:	'			
(586) 274-9100	ext 1311		permits@aisoutl	et.com			
WORKERS COMPENSAT	ION INSURANCE CARRIER (or	reason for exemption)	FEDERAL EMPLOYER ID NI	JMBER (OR REASON	FOR EXEMP	PTION)	
Federated Mut	tual Insurance		20-0742530				
			•				
Section 23a of the	state construction code	act of 1972, 1972	PA 230, MCL 125.1523a	, prohibits a perso	on from o	conspiring to	
			persons who are to pe				
The reservoir and the content of the content of the state			to civil fines. I,				
(name),	Contractor		test that the statements				
			rect description of the b				
			with the requirements ments and attestations				
125.1510(2)	under wick 125.1510(2)	to make the state	ments and attestations (contained in this	аррисаці	on under wich	
	NTRACTOR OR HOMEO	WNER (Homeown	er's signature indicates	DAT	E		
	ection VI. Homeowner	10.00					
х	10			8/4	/2025		
M	wel Clark	and a			-		
I hereby certify the f	ence work described on th	is permit application	shall be installed by myse	If in my own home	in which I	I am living or	
			83 of the Troy City Ordina				
			Cities Building Inspector.				
Inspector and assum	e the responsibility to arra	ange for necessary in:	spections.				
	T 1						
			feet of material to be u				
Type:	Wood	Wire	Metal	Masonry	Othe	er	
Symbols:	0000000	XXXXXX	///////		-		
HEIGHT						(vinyl)	
70 00 0000000 00 0000						6'	
NO. OF FEET						154'	
PERMIT FEEE	☑ Under 300'	\$150.00	☐ Over 300' \$	200.00			
I LIMVIII I LLL	□ Olluei 300	ψ100.00	☐ OAGI 200 ₺	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: https://cms6.revize.com/revize/citytroymi/departments/maps/index.ph

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.
- 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

В	y si	gni	ing	l am	conf	irm	ing i	hai	11	have read	and	lunc	lers	tood	a	of	the	fence	permi	t requ	uirement	s.
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ApplicantSignature:	W/ will	(Mikany		
Approved Du			Data	

From:

<u>Dominic M Abate</u> <u>PERMITS@AISOUTLET.COM</u> Subject: plan review - 5027 Shady Creek

Wednesday, August 13, 2025 12:11:00 PM Date:

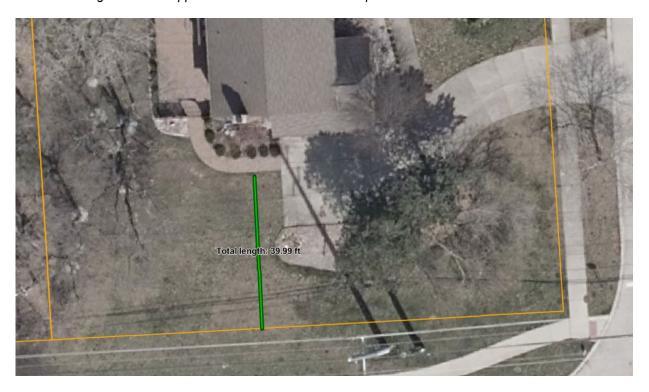
Attachments: image001.png

image002.png image003.png image004.png image005.png image006.png image007.png

Hello,

The Building Permit Application for 5027 Shady Creek has been denied as submitted for the following reason(s):

- This property requires a 40 feet setback from the Long Lake property line.
- As submitted, there appears to be 11.5 feet encroachment.
- See image below for approximate location of 40 feet required setback.



Please "reply" to this email when submitting the requested information.

Sincerely,



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









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: 5027 Shady Creek DY, Troy, MI 48085
	ACREAGE PROPERTY: Attach legal description if this an acreage parcel
2.	PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-10-380-035
3.	CODE NAME (e.g. "BUILDING CODE", "SIGN CODE", "FENCE CODE") AND SECTION(S) RELATED TO THE APPEAL:
	FENCE CODE, CHapter 83
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 INFORMAT	ION:				
	NAME Ashley	Narayanan				
	COMPANY	<u> </u>				
	ADDRESS Soa 7	shady creekdr				
	CITY Tray		STATE _	MI	ZIP	Lenes
	TELEPHONE 99	9-737-7121		•		1000
	E-MAIL ashley	nicole chano gr	nail.com	η		
7.	APPLICANT'S AFFILIAT	TON TO THE PROPERTY OWN	<u>NER</u> :	seiz		
8.	OWNER OF SUBJECT	PROPERTY:				
	NAME Ashley	Neveyanan				
	COMPANY					
	ADDRESS 5027 S	hody creek dy				
	CITY Troy)		MI	ZIP	45086
	TELEPHONE 989			•		1
	E-MAIL ashleyn	icolechan agmo	u'l.com			
The	undersigned hereby de	clare(s) under penalty of perj information and belief.			this application	on are true to the
appii	ication, attachments an	responsibility for all of the d/or plans, and the applicant sponsibility or liability with re	releases the	City of Tro	ensions conta y and its em	ained within this ployees, officers,
COIL	ASNEW NOTEM VE STATEMENTS AND RECT AND GIVE PERM ERTAIN PRESENT CON	(PROPERTY OW STATEMENTS CONTAINED SSION FOR THE BOARD MEN DITIONS.	VNER), HERE IN THE INF (BERS AND C	EBY DEPOS ORMATION CITY STAFF	E AND SAY SUBMITTED TO CONDUCT	THAT ALL THE ARE TRUE AND A SITE VISIT TO
SIGN	ATURE OF APPLICANT				DATE ms	11212029
PRIN	TNAME: Ashlee	Navayanan				7-71-1325
SIGN	ATURE OF PROPERTY	OWNER			DATE OS	112/2006
PRIN	TNAME: Ashle	1 Naxayanan				1.11400
iustif	iable cause for denial	is/her authorized representation or dismissal of the case with opplicant or property owner, si	ive to appear	before the l	Board, as sch	

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

Ashley Narayanan

5027 Shady Creek Dr Troy, MI 48085 08/14/2025

To:

Zoning Board of Appeals City of Troy 500 W Big Beaver Rd Troy, MI 48084

Subject: Request for Fence Setback Variance – 5027 Shady Creek Dr

Dear Members of the Zoning Board of Appeals,

I am requesting a variance to install a fence that would encroach 11.5 feet into the required 40-foot front setback, resulting in an effective setback of 28.5 feet along the side of my home. While the fence complies with Chapter 83 – Fences in terms of height and materials, its placement is restricted by the setback requirement.

This variance is necessary due to practical difficulties related to the unique layout of the lot and the needs of our household:

- 1. Safety for children: We have a one-year-old and a newborn (born 8/18/2025). The fence is necessary to create a secure, fully enclosed yard where they can play safely, protected from street traffic and public access.
- Exercise and containment for pets: We have two dogs one 80 lb and one 10 lb
 — that require sufficient space to run, exercise, and move freely. Without this
 portion of the fence, a significant part of the yard would remain unenclosed and
 unsafe for our pets.
- 3. Privacy: The fence placement provides screening from the street and neighbors, allowing our young children to play outdoors safely while maintaining family privacy.
- 4. Noise reduction: The fence will act as a sound barrier from traffic on E Long Lake Road, reducing noise intrusion into our backyard and improving the overall living environment for our family.

The proposed fence is designed to respect the intent of Chapter 83, maintaining safe sightlines where necessary, using acceptable ornamental materials, and not obstructing any public right-of-way or easements.

Given the lot configuration and family needs, the requested variance is the minimum necessary relief to allow practical use of the yard while still adhering to the intent of the ordinance. The fence will enhance safety, security, privacy, and quality of life for our children and pets, without negatively affecting the surrounding neighborhood.

Thank you for your consideration of this request.

Sincerely, Ashley Narayanan





View West into 5027 Shady Creek front yard



View West into 5027 Shady Creek front yard along E. Long Lake



View Northwest looking into front yard abutting E. Long Lake



View Northwest looking into front yard abutting E. Long Lake



View North looking into front yard abutting E. Long Lake



View Northwest looking into front yard abutting E. Long Lake



View East looking along E. Long Lake



Fencing Quote/Specification

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

DAVID LANZ 8667718711	8667718711 Salesperson Phone#				
Salesperson Name Salesperson Phone					
2105218410					
Registration # (Req. in CA,CT,ME,MD,MI,NJ,DC)					
Narayanan Ashley 2727		F53086123 Customer Lead/PO#			
Customer Last Name Customer First Name Store #/Branch Name					
5027 Shady Creek Troy		MI	48085 Zip		
Customer Address City		State			
9897377121 9897377121					
Home Phone# Work Phone# Cell Phone# Cross Street 1	Cross Street 1		Cross Street 2		
PINK = existing fencing					
E. 72	59				
GREEN = 6' tall fencing					
N G					
L A					
K I	5'gate				
E 5'gate	3 3.3				
11 5.5	3 3.3				
40' FROM THE SIDEWALK &					
52' AWAY FROM THE ROAD Driveway					
SHADY CREEK DRIVE					
299A Fencing Quote/SPEC (21 Aug. 23) (C)	Generated Date	7/31/2025 Lead	/PO# <u>F53086123</u> v 13.1.7		

= 6' Clay Vinyl Privacy Fence



Newbury (Element Reserve Rail)

Ais	White	Sand	Clay	Gray
INSTALLATIONS	\$54/ft.	\$59/ft.	\$59/ft.	\$68/ft.
4' gate	\$1,000	\$1,100	\$1,100	\$1,200
5' gate	\$1,050	\$1,150	\$1,150	\$1,250

*highlighted items are stock items in season



- 6" GlideLockTM Boards
- 5" x 5" Posts
- 0 13/4" x 7" Rails
- 8' Width Panels
- 6' Height Available







