



# BUILDING CODE BOARD OF APPEALS REGULAR MEETING AGENDA

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

Theodore Dziurman, Chair; Gary Abitheira  
Teresa Brooks, Michael Carolan, Brian Kischnick

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**December 3, 2014**

**3:00 PM**

**LOWER LEVEL  
CONFERENCE ROOM**

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1. ROLL CALL
2. APPROVAL OF MINUTES – November 5, 2014
3. HEARING OF CASES
  - A. **VARIANCE REQUEST, TERRY GLADSTONE FOR ACTION FENCE OF MICHIGAN, 4621 SUTHERLAND** – This property is a double front corner lot. As such it has a required front setback along both Sutherland and John R. The petitioner is requesting a variance to install a 4 foot high non-obscuring aluminum fence in the required front setback along John R where City Code limits fences to 30 inches high.

## **CHAPTER 83**

- B. **VARIANCE REQUEST, VARGHESE CHACKO FOR DALLAS INDUSTRIES, 103 PARK** – The petitioner is requesting renewal of the conditional relief of the requirement of a fire suppression system. The original variance was granted in 1978 when a 6,000 square foot addition was erected. In 1984 this Board approved the renewal of the fire suppression system variance subject to terms and conditions set forth in a document/affidavit prepared by the City Attorney's Office and recorded with the Oakland County Register of Deeds. The affidavit does not automatically extend the waiver of the fire suppression system requirement upon change in ownership and it indicates the City may require a new owner to comply with the requirement. Accordingly, the new owner must apply to the Building Code Board of Appeals in order to renew the fire suppression requirement waiver.

## **MICHIGAN BUILDING CODE**

4. COMMUNICATIONS
5. PUBLIC COMMENT
6. MISCELLANEOUS BUSINESS
  - A. **2015 MEETING DATES**
7. ADJOURNMENT

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

Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on November 5, 2014 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Members Present:

Theodore Dziurman, Chair  
Gary Abitheira  
Teresa Brooks  
Michael Carolan

Absent:

Brian Kischnick

Support Staff Present:

Mitch Grusnick, Building Official/Code Inspector  
Kathy L. Czarnecki, Recording Secretary

Also Present:

Attached and made a part hereof is the signature sheet of those present and signed in at this meeting.

2. APPROVAL OF MINUTES

Moved by: Abitheira

Support by: Carolan

**RESOLVED**, To approve the minutes of the October 1, 2014 Regular meeting as submitted.

Yeas: All present (4)

Absent: Kischnick

**MOTION CARRIED**

3. HEARING OF CASES

A. VARIANCE REQUEST, JOHN CARROLL FOR ARANEA INC., 5151 CORPORATE DRIVE – A variance to allow two additional wall signs measuring 143.33 and 100 square feet, where only one wall sign is allowed.

Mr. Grusnick reviewed the variance request. He reported the department received no responses to the public hearing notices.

Present were Michael Glinka, Flagstar Bank; John Carroll, Araneae Inc.; and Roger Briddick, Fairmont Sign Company.

There was discussion on:

- Existing signage; size, location, visibility from Long Lake Road.
- Signage on buildings in surrounding office campus.
- Sign regulations in O (Office) zoning district.
- Flagstar-Red Wings partnership.

Chair Dziurman opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Brooks  
Support by: Carolan

**RESOLVED**, To grant the variance as requested for the 100 square foot Detroit Red Wings banner on the canopy of the building facing Corporate Drive and the additional 143.33 square foot Flagstar wall sign on the south elevation of the building, based on the following reasons:

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 85.
2. The variance does not adversely affect properties in the immediate vicinity of the proposed sign.

Yeas: All present (4)  
Absent: Kischnick

### **MOTION CARRIED**

- B. **VARIANCE REQUEST, MARC AND ANGELINA JANCA, 6839 SHELLDRAKE** – This property is a double front corner lot. As such it has a required front setback along both Shelldrake and Cambria. The petitioner is requesting a variance to install a 4 foot high non-obscuring metal fence in the required front setback along Cambria where City Code limits fences to 30 inches high.

Mr. Grusnick reviewed the variance request. He reported the department received two responses to the public hearing notices, both in support of the request.

Angelina Janca said with the completion of their landscaping, they would like to install an aesthetically-pleasing fence that would contain their two dogs in the yard. Ms. Janca said the fence would be similar in style to the neighbor on the corner of Shelldrake and Cadmus, who recently was granted a variance by the Board. She said their intent is to install the fence on the outside of the existing arborvitae, hugging the arborvitae.

Mr. Grusnick showed a picture of the fence installed at 6881 Shelldrake, for which a variance was recently granted by the Board.

There was discussion on:

- Placement of fence in relation to property line.
- Potential for visual obstruction.
- Type, style of fence.

Chair Dziurman opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Brooks  
Support by: Carolan

**RESOLVED**, To grant the variance request to install a 4 foot high non-obscuring metal fence, based on the following reasons:

1. The variance does not adversely affect properties in the immediate vicinity of the proposed fence.
2. The fence would be compatible with other fences in the neighborhood.

Yeas: All present (4)

**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 3:20 p.m.

Respectfully submitted,

\_\_\_\_\_  
Theodore Dziurman, Chair

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Kathy L. Czarnecki, Recording Secretary

G:\Building Code Board of Appeals Minutes\2014\Final\2014 09 03 Regular Meeting\_Final.doc



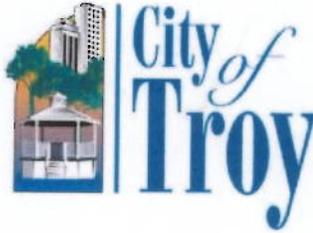
3. HEARING OF CASES

- A. **VARIANCE REQUEST, TERRY GLADSTONE FOR ACTION FENCE OF MICHIGAN, 4621 SUTHERLAND** – This property is a double front corner lot. As such it has a required front setback along both Sutherland and John R. The petitioner is requesting a variance to install a 4 foot high non-obscuring aluminum fence in the required front setback along John R where City Code limits fences to 30 inches high.

**CHAPTER 83**

*Building Code Board of Appeals*  
**ZONING BOARD OF APPEALS APPLICATION**

CITY OF TROY PLANNING DEPARTMENT  
500 W. BIG BEAVER ROAD  
TROY, MICHIGAN 48084  
PHONE: 248- 524-3364  
E-MAIL: [evanspm@troymi.gov](mailto:evanspm@troymi.gov)  
<http://www.troymi.gov/CodeEnforcement/#>



REGULAR MEETING FEE ~~\$150.00~~ <sup>\$50.00</sup>  
SPECIAL MEETING FEE \$650.00

**RECEIVED**  
NOV 10 2014  
PLANNING

REGULAR MEETINGS OF THE CITY BOARD OF ZONING APPEALS ARE HELD ON THE **THIRD TUESDAY OF EACH MONTH AT 7:30 P.M. AT CITY HALL.** PLEASE FILE A COMPLETE APPLICATION, WITH THE APPROPRIATE FEE, AT LEAST **27 DAYS BEFORE** THE MEETING DATE.

1. ADDRESS OF THE SUBJECT PROPERTY: 4621 Sutherland
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 20-14-229-001
3. ZONING ORDINANCE SECTIONS APPLICABLE TO THIS APPEAL: section 7.05 A
4. REASONS FOR APPEAL: *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? If yes, provide date(s) and particulars: on 10/21/14 an appeal was denied for the use of a 6' tall privacy fence.
6. APPLICANT INFORMATION:  
NAME Terry Gladstone  
COMPANY Action Fence of Michigan  
ADDRESS 4248 Delemere ct  
CITY Royal Oak STATE MI ZIP 48073  
TELEPHONE 248-542-3900  
E-MAIL actionfence24@sbcglobal.net

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

8. OWNER OF SUBJECT PROPERTY:

NAME Dax Patel

COMPANY \_\_\_\_\_

ADDRESS 4621 Sutherland

CITY Troy STATE MI ZIP 48085

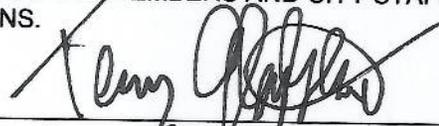
TELEPHONE 248-825-1327

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

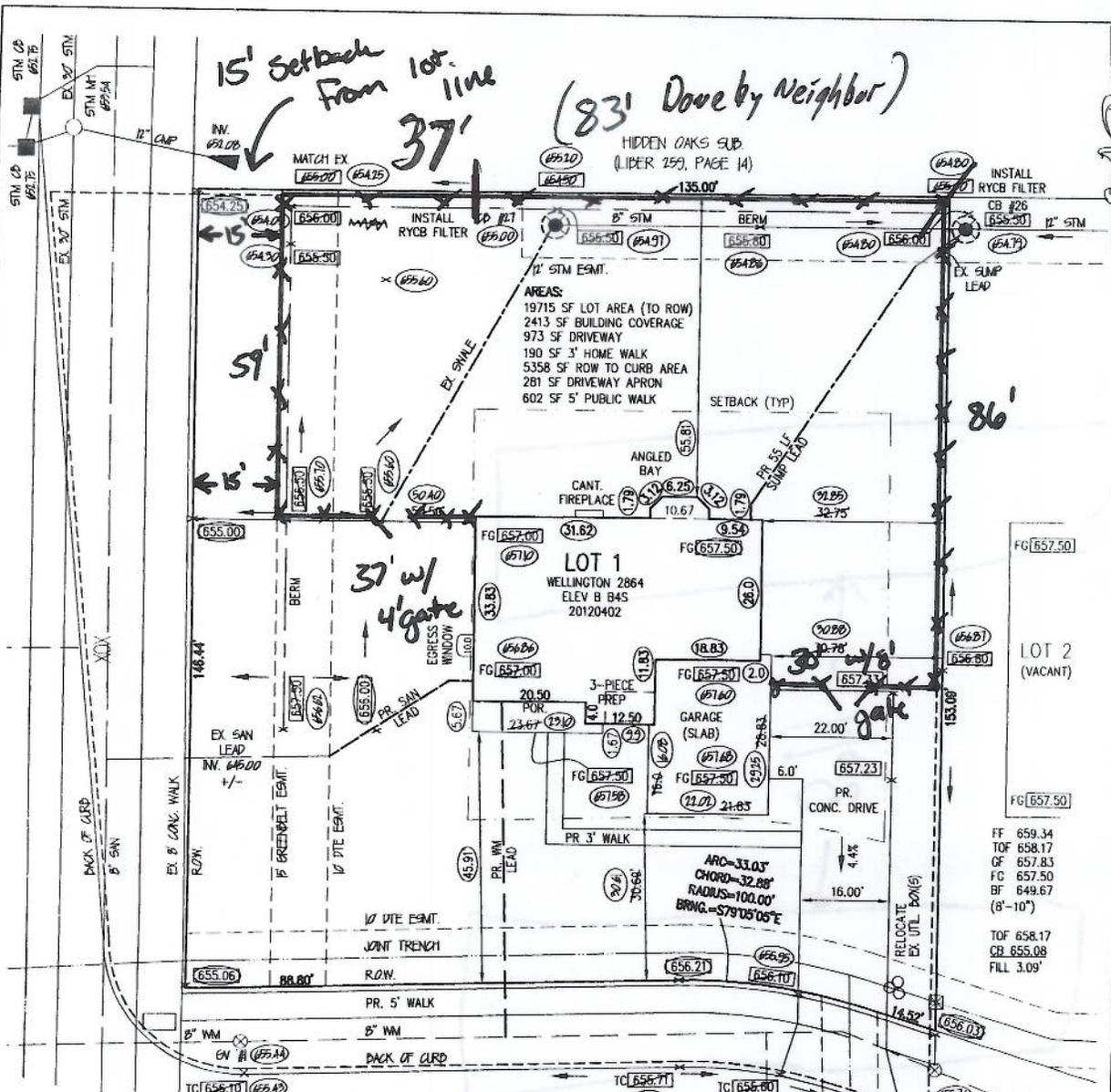
I, Dax Patel (PROPERTY OWNER) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO CONDUCT A SITE VISIT TO ASCERTAIN PRESENT CONDITIONS.

SIGNATURE OF APPLICANT  DATE 11/10/14

PRINT NAME: Terry Gladstone, Action Fence

SIGNATURE OF PROPERTY OWNER  DATE 11-10-14

PRINT NAME: Dax Patel



HIDDEN OAKS SUB.  
(SLIDER 259, PAGE 14)

LOT 1  
WELLINGTON 2864  
ELEV B 845  
20120402

LOT 2  
(VACANT)

#4621 SUTHERLAND DRIVE  
PAVT WITH 4" CURB & CUTTER (60' R.O.W.)

LOT 1  
HIDDEN PARC SUBDIVISION  
SEC. 14, T.2N., R.11E., CITY OF TROY,  
OAKLAND COUNTY, MI.  
PARCEL I.D. #20-14-229-001

DATE: 07/13/12 PLOT PLAN,  
07/17/12 UTIL. BOX,  
10/08/12 PRELIM GRADE,  
06/24/13 FINAL GRADE,  
08/14/13 REV. FINAL GRADE

PREPARED FOR:  
LOMBARDO HOMES  
51237 DANVIEW TECHNOLOGY CT.  
SHELBY TOWNSHIP, MI 48315  
PH: (586) 781-7900 OFFICE  
PH: (248) 721-3438 CLINT HALL



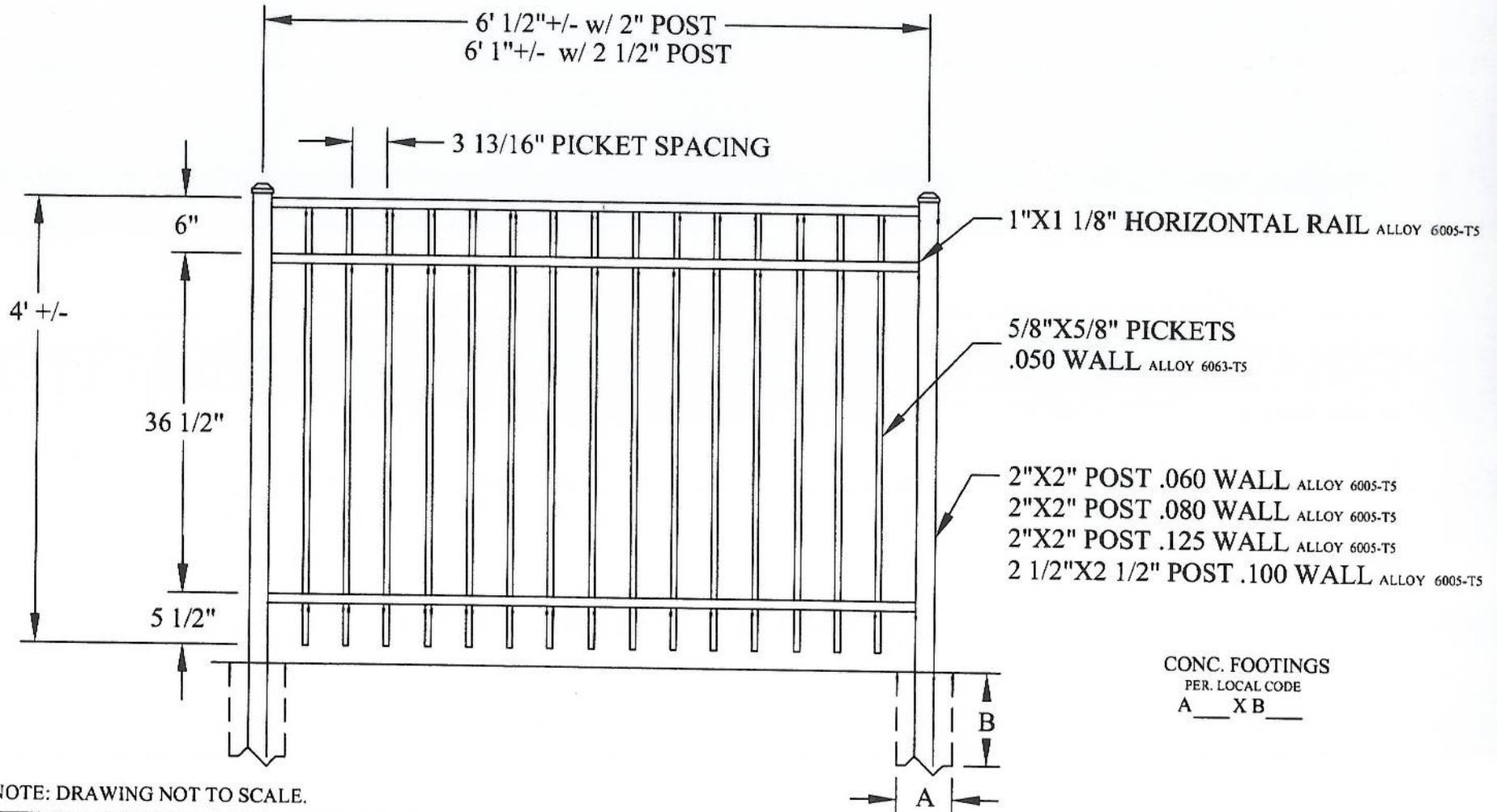
--- = DRAINAGE DIRECTION  
XXX.XX = PROPOSED  
XXXXXX = ADULT/EXISTING

UTILITY & GRADING INFORMATION OBTAINED FROM A TOPOGRAPHIC SURVEY FROM COMMUNITY E.S., INC. BEFORE BEGINNING CONSTRUCTION VERIFY HOUSE LEAD LOCATION WITH THE BUILDING DEPARTMENT. APPROVAL OF THIS PLOT PLAN DOES NOT RELIEVE THE OWNER/BUILDER OF COMPLIANCE WITH ALL APPLICABLE CODES AND ORDINANCES. COMMUNITY E.S., INC. ASSUMES NO RESPONSIBILITY FOR GIVEN HOUSE DIMENSIONS AND DRIVEWAY PLACEMENT. CLIENT MUST VERIFY ALL DIMENSIONS AND DRIVEWAY PLACEMENT PRIOR TO CONSTRUCTION.  
© 2013 - COMMUNITY E.S., INC. ALL RIGHTS RESERVED.



SCALE: 1" = 20'  
DRAWN BY: JH

5/1  
1-12-08  
1-08  
1-08



<p><b>EFF-20</b>                  RESIDENTIAL</p>	<p>COLOR</p>	<p>PROJECT</p>	<p>OWNER/CONTRACTOR</p>	<p>DATE</p>
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Monday, November 10, 2014

Terry Gladstone  
Action Fence of Michigan  
4248 Delemere ct  
Royal Oak, MI 48073

To whom it may concern,

We are requesting a variance for our customer Mr Patel so that he may use a greater portion of his back yard area. His unique circumstance being on a corner lot limits his back yard drastically. We are proposing a 4' tall ornamental aluminum fence which has more than 80% visibility through it, but provides a security barrier for his family from John R rd.

Please note: since our last meeting for ZBA in October, the neighbor to the south has constructed a privacy fence

This fence does not encroach within the 25' intersection limit for fences on corner lots (section 7.05 B), please see the attached drawing for a complete layout of our proposed installation.

Thank you for your consideration.

Terry Gladstone

## Chapter 83 - Fences

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### 1. DEFINITIONS.

- (A) Fences - For the purpose of this Ordinance a fence shall be construed as a structure erected upon or near the dividing line between adjoining properties for the purpose of separating, screening and protecting the lands.
- (B) Front Building Line - A line formed by the front face of the building setback line and extending to the side lot lines.

### 2. FENCE CONSTRUCTION IN RESIDENTIAL AREAS.

The owner of any lot may construct and maintain fences between his own and the next adjoining lots, or along street or alley lines in the manner stated in the following sections of this Ordinance and elsewhere in the City Code. All owners of lots shall be responsible for rebuilding, care, and upkeep of all fences as defined in this Ordinance.

- (A) 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 more than six (6') feet above the existing grade of the land, and 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. On corner lots where a double front setback is required, and where there is a common rear yard relationship with a lot in the same block, a non-obscuring fence no greater than forty-eight (48") inches in height above the existing grade of the land may be installed along the common street line from the front building setback line to the rear property line. The maximum heights requirements of this section may be waived with the approval of the Building Board of Appeals.

(Rev. 07-08-1996)

### 3. FENCE CONSTRUCTION IN NON-RESIDENTIAL DISTRICTS.

On all non-residential zoned properties, no fence shall be permitted in the yards between the building and any frontage street, unless required for utility enclosure purposes.

A decorative masonry obscuring wall shall be provided on those sides of non-residential property abutting land zoned for residential use. The decorative side of these walls shall face the land zoned for residential use. Such walls shall not be less than six (6') feet in height and may, depending upon land use, be required to be eight (8') feet in height.

(Rev. 11-12-1990)

### 4. CONSTRUCTION MATERIAL.

No electrically charged fence shall be permitted in any areas of the City, nor shall barbed wire material be used in the construction of a fence in any residentially zoned area of the City; provided that barbed wire may be used in residential areas for the purpose of avoiding access to attractive nuisances. Said wire shall be a minimum of six (6'0") feet above ground. In non-residential areas, barbed wire or other sharp pointed material may be used provided said material is over five (5'0") feet above the ground. Barbed wire, when used, should be installed so that any projections at the

## Chapter 83 - Fences

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top shall be over the fence owner's property. Fences which enclose school grounds, playgrounds, tennis courts, public swimming pools, or other public areas may be erected to a height in excess of six (6'0") feet with the approval of the Building Board of Appeals.

(Rev. 10/09/1972)

### 5. PERMITS.

No fence shall be constructed until a permit for such construction has been obtained from the Building Department. Application for said permit shall contain such information as is necessary to determine if the proposed fence meets the requirements of this Ordinance and the Zoning Ordinance. The fee for said permit shall be in accordance with the Fee Schedule found within Section 60.03 of Chapter 60 of the Troy City Code.

(Rev. 06/02/2003)

No permit shall be issued for any fence construction prior to the approval of the final lot grading for said lot where the fence is proposed.

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.

(Rev. 09/19/1977)

New Drawing From 5-26

Proposal No.

# PROPOSAL

**ACTION FENCE** of Michigan Inc.  
4248 Delemere Court • Royal Oak, MI 48073

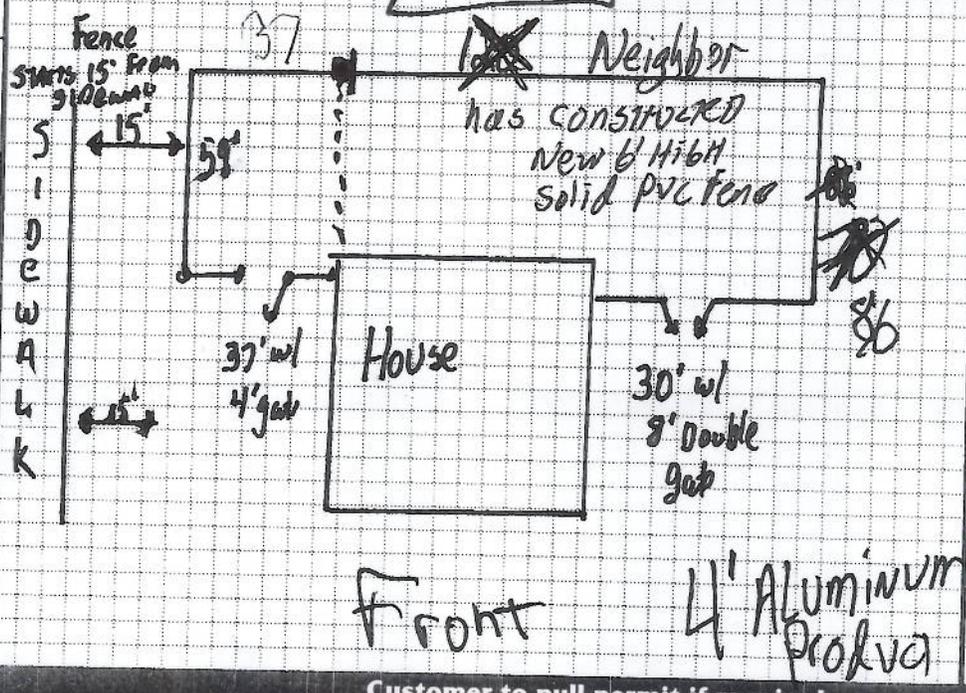
(248) 542-3900  
Fax: (248) 542-6903

PROPOSAL SUBMITTED TO Dax & Priti Patel PHONE his 825-1327 DATE 9-30-14  
 STREET 4121 Sutherland JOB NAME \_\_\_\_\_  
 CITY, STATE AND ZIP Troy JOB LOCATION Neighborhood S. Long Lake  
 ESTIMATOR TERRY 248-770-3474 REFERRED BY \_\_\_\_\_ JOB PHONE \_\_\_\_\_

NO

- Landscaping involved?
- Install Fence  
 Level  Follow Grade
- Obstruction in Fence Line Above Ground**  
 Owner's responsibility to leave clear access  
 Contractor's responsibility  
 No obstructions
- Wood Fence Nice Side Faces** N/A  
 In  Out
- Remove Fence N/A
- Installer shall call Miss Dig for location of underground utilities. Customer is responsible for locating all other lines
- Additional charges will be made for abnormal digging conditions or removal of dirt off property
- Where does excavated dirt go on property?  
Spread around

We hereby submit specifications and estimates for:



Total Footage	319' ± (2) gates
Type of Fence	<del>6' Khabki Solid PVC</del>
Post Specs.	New England CAP
Extra Features or Special Tools Needed	

Customer to pull permit if required

I customer, hereby agree to stake the fence(s) depicted above. By this, each end, corner, or gate post shall have a stake at that point. Failure to do so will result in a \$150 return trip charge. Payable upon completion of job. ACTION FENCE WILL NOT IN ANY WAY BE HELD LIABLE FOR INCORRECTLY STAKED LINES. ACTION FENCE HOLDS NO RESPONSIBILITY FOR DAMAGE TO SPRINKLER LINES, GAS BAR-B-QUE LINES, OR ANY OTHER SUCH LINES. IT IS THE RESPONSIBILITY OF THE CUSTOMER TO MARK WHERE SUCH LINES ARE.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance. Fence materials remain property of Action Fence till paid in full.

**Final Payment Due Upon Completion**

For the Sum of \$	<u>14,000</u>
Haul-Away \$	<u>NO</u>
Building Permit \$	<u>INC.</u>
Sales Tax \$	<u>INC.</u>
Total \$	<u>14,000</u>
Down Payment \$	<u>6,000</u>
Balance Due \$	<u>8,000 - 1107 4853</u> <u>F9174</u>

## Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature \_\_\_\_\_  
 \_\_\_\_\_  
 Date of Acceptance \_\_\_\_\_

Customer Signature \_\_\_\_\_

3. HEARING OF CASES

- B. **VARIANCE REQUEST, VARGHESE CHACKO FOR DALLAS INDUSTRIES, 103 PARK** – The petitioner is requesting renewal of the conditional relief of the requirement of a fire suppression system. The original variance was granted in 1978 when a 6,000 square foot addition was erected. In 1984 this Board approved the renewal of the fire suppression system variance subject to terms and conditions set forth in a document/affidavit prepared by the City Attorney's Office and recorded with the Oakland County Register of Deeds. The affidavit does not automatically extend the waiver of the fire suppression system requirement upon change in ownership and it indicates the City may require a new owner to comply with the requirement. Accordingly, the new owner must apply to the Building Code Board of Appeals in order to renew the fire suppression requirement waiver.

**MICHIGAN BUILDING CODE**

**RECEIVED**  
NOV 19 2014

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

**SIGN APPEALS**  
**FEE \$50**  
CITY OF TROY PLANNING DEPARTMENT  
500 W. BIG BEAVER ROAD  
TROY, MICHIGAN 48084  
PHONE: 248-524-3344  
FAX: 248-689-3210  
E-MAIL: [evansom@troymi.gov](mailto:evansom@troymi.gov)  
<http://www.troymi.gov/CodeEnforcement/>



**CONSTRUCTION OR FENCE CODE APPEALS**  
**FEE: \$50**  
CITY OF TROY BUILDING DEPARTMENT  
500 W. BIG BEAVER ROAD  
TROY, MICHIGAN 48084  
PHONE: 248-524-3344  
FAX: 248-689-3210  
E-MAIL: [GrusnickME@troymi.gov](mailto:GrusnickME@troymi.gov)  
<http://www.troymi.gov/BuildingInspection/>

**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-ONE (21) DAYS BEFORE THE MEETING DATE.

A COMPLETE APPLICATION THAT MEETS CODE REQUIREMENTS IS PLACED ON THE NEXT AVAILABLE AGENDA OF THE BUILDING CODE BOARD OF APPEALS.

1. ADDRESS OF THE SUBJECT PROPERTY: 103 Park Street, Troy  
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
  
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 20-34-151-004
  
3. CODE NAME (e.g. "BUILDING CODE", "SIGN CODE", "FENCE CODE") AND SECTION(S) RELATED TO THE APPEAL:  
Building Code, Fire Suppression System-Section 1702.8
  
4. REASONS FOR APPEAL/VARIANCE: *On a separate sheet, please describe the reasons justifying the requested action. See Submittal Checklist.* See attached Affidavit in connection with the sale and transfer of property. Applicant is purchasing parcel.
  
5. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? YES  NO

6. APPLICANT INFORMATION:

NAME Varghese Chacko  
COMPANY Dallas Industries  
ADDRESS 103 Park Street  
CITY Troy STATE Michigan ZIP 48083  
TELEPHONE 248 854-7536  
E-MAIL williec@dallasindustries.com

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

8. OWNER OF SUBJECT PROPERTY:

NAME Robert Klotz, Manager 103 Park Avenue Realty, L.L.C.  
COMPANY 103 Park Avenue Realty, L.L.C.  
ADDRESS 2630 Grey Oaks Drive, Unit #19  
CITY Naples STATE Florida ZIP 34105  
TELEPHONE \_\_\_\_\_  
E-MAIL RKLOTZ@AOL.COM

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

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

I, Robert Klotz, Manager (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 11/18/2014  
PRINT NAME: Varghese Chacko

SIGNATURE OF PROPERTY OWNER \_\_\_\_\_ DATE \_\_\_\_\_  
PRINT NAME: Robert Klotz, Manager; 103 Park Avenue Realty, LLC

*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.*

OCT

29

84

84 116694

LIBER 8320 PAGE 792

OAKLAND COUNTY RECORDS

84 OCT 29 11 31

AFFIDAVIT

CITY OF TROY

In consideration for the action taken by the City of Troy, Michigan, Building Board of Review, on July 11, 1984, granting a conditional automatically renewing waiver, Clawson Beaver Building Company, on behalf of itself, its heirs, successors, and assigns, states as follows:

2-11/84

1. Clawson Beaver building Company acknowledges that the premises located at City of Troy/County of Oakland/State of Michigan, Town 2, North, Range 11 East, Section 34, Lot #9 and West 75' of Lot #10, Maple Industrial Subdivision as recorded in Liber 120, pages 5 and 6, Oakland County Records Sidwell 34-151-004,

S

(U)

120005

more commonly known as: 103 Park Street, Troy, Michigan, do not comply with the requirements of § 1702.8 of the Building Officials and Code Administrators Basic Building Code, concerning Fire Suppression Systems.

2. Clawson Beaver Building Company agrees to immediately notify the City of Troy Building Department of any change of use, occupancy, tenancy, or ownership of the said premises.

3. Clawson Beaver Building Company acknowledges, and agrees to notify any lessee or purchaser of the premises, of the non-compliance of the premises as stated in Paragraph One above, and of the fact that the City of Troy may require compliance upon a change of use, occupancy, tenancy, or ownership, or upon the storing of combustible material, or upon a use of the premises which creates any other hazards.

4. Clawson Beaver Building Company agrees to permit the City of Troy to make periodic inspections of the premises, especially for, but not limited to, the purpose of determining if any combustible materials are stored in the building or if the use of the premises is creating any other hazards.

✓

✓

7-11/84  
Drew

Return to:

Frank B. Ford  
Assistant City Attorney  
305 W. Big Beaver  
Farmington, MI 48334

7  
↓

OCT

29

84

USE 6320 REV 793

5. This affidavit is binding on Clawson Beaver Building Company, its heirs, successors and assigns.

Witnesses:

*Mary Jane Ross*  
Mary Jane Ross

*James A. Koller*  
James A. Koller, President  
Clawson Beaver Building Company

*John A. Stevens*  
John A. Stevens

*Raymond A. Celola*  
Secretary, Raymond A. Celola  
Clawson Beaver Building Company

STATE OF MICHIGAN )  
COUNTY OF OAKLAND ) ss

Subscribed and sworn to before me  
this 20<sup>th</sup> day of August, 1984

*Mary Jane Ross*

Notary Public, Oakland  
County, Michigan  
My commission expires: 7/14/1986  
MARY JANE ROSS  
Notary Public, Oakland County, MI  
My Commission Expires July 14, 1986



103 Park Street  
Troy, MI 48083  
U.S.A

PHONE: (248)-583-9400  
FAX : (248)-583-9402  
<http://www.dallasindustries.com>

November 19, 2014

Mr, Mitch Grusnick  
500 W. Big Beaver  
Troy, MI 48084

Ref: 103 Park Street – Request for continuation of variance for Fire Suppression System code.

Dear Mr. Grusnick,

Dallas Industries, a manufacturer of Coil Handling machines has had its operations in the City of Troy since its inception over 50 years ago. The business moved to its current location in 1997 and the building has been owned by the current owner since then. We are still involved in the same business and do not anticipate any changes in our operation in the future.

The Fire Suppression System variance which was originally issued in 1984 was continued in 1997 for the current owner of the building. I acquired the business in 2009 and leased the building to continue operations. In the long term interest of the company, I am in the process of acquiring the building and hence the request to continue the variance for the fire suppression system. A tentative closing date of December 17, 2014 has been selected by the mortgage company and we are hoping to close on that date.

As a part of our operations, we comply with all OSHA and City of Troy fire department requirements. We have had inspections this year and we have complied with all the recommendations from the city. The building was inspected by R.C. (Chuck) Riesterer on November 19, 2014 in regard to this pending sale and had given a verbal consent after the inspection. He had indicated that his recommendation was to continue the variance to the code.

I appreciate your help and cooperation in this matter. Please feel free to contact me if you have any questions.

Thank you,

Sincerely,

Varghese Chacko  
Dallas Industries, CEO & Owner  
103 Park Street  
Troy, MI 48083  
[williec@dallasindustries.com](mailto:williec@dallasindustries.com)  
(248)-854-7536  
(248)-928-0369 (fax)

6. MISCELLANEOUS BUSINESS

A. **2015 MEETING DATES**

**CITY OF TROY  
MICHIGAN  
PUBLIC NOTICE  
BUILDING CODE BOARD OF APPEALS**

In accordance with the provisions of the Michigan State Law, Notice is hereby given that the Building Code Board of Appeals of the City of Troy will hold Public Meetings in the City Hall, 500 West Big Beaver Road, Troy, Michigan, 248.524.3364, on the following dates:

**2015 BUILDING BOARD OF APPEALS MEETING DATES**

January 7	July 1
February 4	August 5
March 4	September 2
April 1	October 7
May 6	November 4
June 3	December 2

All meetings are generally held at 3:00 p.m. in the Lower Level Conference Room of the City Hall Building and are open to the public.

This notice is hereby posted as required by Section 4 of the Open Meetings Act (MCLA 15.261 et seq.)

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Mitch Grusnick  
Building Official

Posted: xx

***NOTICE:*** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by email at [clerk@ci.troy.mi.us](mailto:clerk@ci.troy.mi.us) 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.