



# 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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June 5, 2013

3:00 PM

LOWER LEVEL  
CONFERENCE ROOM

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1. ROLL CALL
2. APPROVAL OF MINUTES – May 1, 2013
3. HEARING OF CASES
  - A. VARIANCE REQUEST, PAUL D'ANGELO, 854 BROOKLAWN – A variance to install a six (6') foot high privacy fence in the twenty five (25') foot required front setback along Witherbee where the fence height is limited to thirty (30") inches.  
**CHAPTER 83, SECTION 2 (A)**
  - B. VARIANCE REQUEST, JOHNNY AND ASHLEY HEANG, 2022 CHANCERY – A variance to install a six (6') foot high privacy fence in the twenty five (25') foot required front setback along John R where the fence height is limited to thirty (30") inches.  
**CHAPTER 83, SECTION 2 (A)**
4. COMMUNICATIONS
5. PUBLIC COMMENT
6. MISCELLANEOUS BUSINESS
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 May 1, 2013 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Members Present:

Theodore Dziurman, Chair  
Gary Abitheira  
Teresa Brooks

Members Absent:

Michael Carolan  
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: Brooks  
Support by: Abitheira

**RESOLVED**, To approve the minutes of the April 3, 2013 Regular meeting as submitted.

Yeas: All present (3)  
Absent: Carolan, Kischnick

**MOTION CARRIED**

Chair Dziurman advised the applicants that a minimum of three votes for approval is required, and a request by the applicant to postpone an item to a later meeting would be entertained prior to the deliberation of the item. Neither applicant requested a postponement.

3. HEARING OF CASES

A. VARIANCE REQUEST, STEVE LENDERMAN, MBL+A ARCHITECTS, 1414 E MAPLE ROAD – (1) A variance to allow a total of 6 wall signs on the building. The building currently has 4 wall signs measuring an aggregate total of 517 square feet in area. Two additional wall signs measuring an aggregate total of 336 square feet are proposed. (2) A variance to allow a second ground sign measuring 60 square feet in area and 10 feet in height. The Sign Code allows a second ground provided it does not exceed 36 square feet in area.

Mr. Grusnick gave a summary of the variance request. He stated the request for a total of six (6) wall signs is revised to a total of five (5) because the existing *Entertainment* sign will be removed and replaced once the space is reoccupied. Mr. Grusnick addressed the requested wall signage as relates to the specific zoning district classification and setbacks. He indicated the existing sign over the main entrance is permitted; it replaces the previous ‘for lease’ banner.

Steve Lenderman of MBL+A Architects was present and addressed the locations where the additional wall signage would be placed, the replacement of the existing sign, the design of a tenant’s sign and the building expansion itself which will bring in 1600 employees to the City.

Mr. Lenderman said the request for an additional ground sign is to aid identification of the existing drives, and noted the proposed sign meets Zoning Ordinance requirements. He said the small lease signs presently on site are in violation and will be removed.

Moved by: Abitheira  
Support by: Brooks

**RESOLVED**, To grant the request to allow the additional wall signs and ground sign.

Yeas: All present (3)  
Absent: Carolan, Kischnick

### **MOTION CARRIED**

Agenda item 3.C. was moved forward on the Agenda because the location and applicant are the same as Agenda item 3.A.

- C. **VARIANCE REQUEST, STEVE LENDERMAN, MBL+A ARCHITECTS, 1414 E MAPLE ROAD** – A variance to allow the fourth floor interior exit stairway doors of the 5 story office building to be locked on the stairway side preventing unauthorized access to the tenant space. Building code requires interior stairway means of egress doors remain operable from both sides without the use of a key or special knowledge.

Mr. Grusnick reminded the Board that at their December 5, 2012 meeting, a similar request was granted to lock the stairway doors on the second and third floors of the building. He addressed the request as relates to the building classification and egress requirements. Mr. Grusnick confirmed the City’s Fire Department reviewed the application and has no objections.

Mr. Lenderman said the request is the same as submitted in December 2012. He briefly addressed the card reader control access and emergency precautions. The door locks will release with an interruption of power or fire alarm activation.

Moved by: Brooks  
Support by: Abitheira

**RESOLVED**, To approve the request to lock the fourth floor interior egress doors on the stairway side.

Yeas: All present (3)  
Absent: Carolan, Kischnick

**MOTION CARRIED**

- B. **VARIANCE REQUEST, GERALD G. WEBER, 268-388 JOHN R ROAD** – In order to add two additional 1.65 square foot wall signs to a proposed standalone ATM machine, a variance from the requirement that the total combined area of all wall signs not exceed 10% of the front area of the structure. 10% of the front area is 6.47 square feet.

Mr. Grusnick gave a review of the request as it relates to the installation of the freestanding Banking ATM in the parking lot. He indicated the proposed sign area is 9.77 square feet.

Gerald Weber of Weber Architecture was present. Mr. Weber addressed the location of the standalone ATM in relation to the parking lot and surrounding retail area. He said existing vegetation screens the site very well and signage on the canopy is needed to identify the existence of the standalone ATM.

Mr. Weber addressed lighting levels on the site. He advised the Board that the Planning Commission granted Preliminary Site Plan approval with the condition to control lighting levels between the hours of 11:00 p.m. and sunrise. Mr. Weber said a photocell sensor and timer would be used to control lighting that cannot exceed up to 20-foot candles for up to 10 minutes per ATM visit.

General discussion followed.

Moved by: Abitheira  
Support by: Brooks

**RESOLVED**, To approve the request for signage at the standalone ATM located at 268-388 John R.

Yeas: All present (3)  
Absent: Carolan, Kischnick

**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 3:30 p.m.

Respectfully submitted,

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Theodore Dziurman, Chair

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Kathy L. Czarnecki, Recording Secretary

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3. HEARING OF CASES

- A. **VARIANCE REQUEST, PAUL D'ANGELO, 854 BROOKLAWN** – A variance to install a six (6') foot high privacy fence in the twenty five (25') foot required front setback along Witherbee where the fence height is limited to thirty (30") inches.

**CHAPTER 83, SECTION 2 (A)**

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: [evanspm@troymi.gov](mailto:evanspm@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: 854 Brooklawn Dr. Troy MI, 48084  
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-030126040
3. CODE NAME (e.g. "BUILDING CODE", "SIGN CODE", etc.) AND SECTION(S) RELATED TO THE APPEAL:  
Fence Ord.
4. REASONS FOR APPEAL/VARIANCE: *On a separate sheet, please describe the reasons justifying the requested action. See Submittal Checklist*
5. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? YES  NO

6. APPLICANT INFORMATION:

NAME PAUL D'Angelo  
COMPANY \_\_\_\_\_  
ADDRESS 854 BrookLawn  
CITY TROY STATE MI ZIP 48084  
TELEPHONE 586-350-8910  
E-MAIL dangelpau@gmail.com

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

8. OWNER OF SUBJECT PROPERTY:

NAME PAUL D'Angelo  
COMPANY \_\_\_\_\_  
ADDRESS 854 BrookLawn  
CITY TROY STATE MI ZIP 48084  
TELEPHONE 586-350-8910  
E-MAIL dangelpau@gmail.com

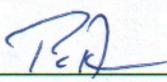
The undersigned hereby declare(s) under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

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

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

SIGNATURE OF APPLICANT  DATE 5/13/13

PRINT NAME: PAUL D'Angelo

SIGNATURE OF PROPERTY OWNER  DATE 5/13/13

PRINT NAME: PAUL D'Angelo

*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 first class mail.*

## **854 Brooklawn Justification Request**

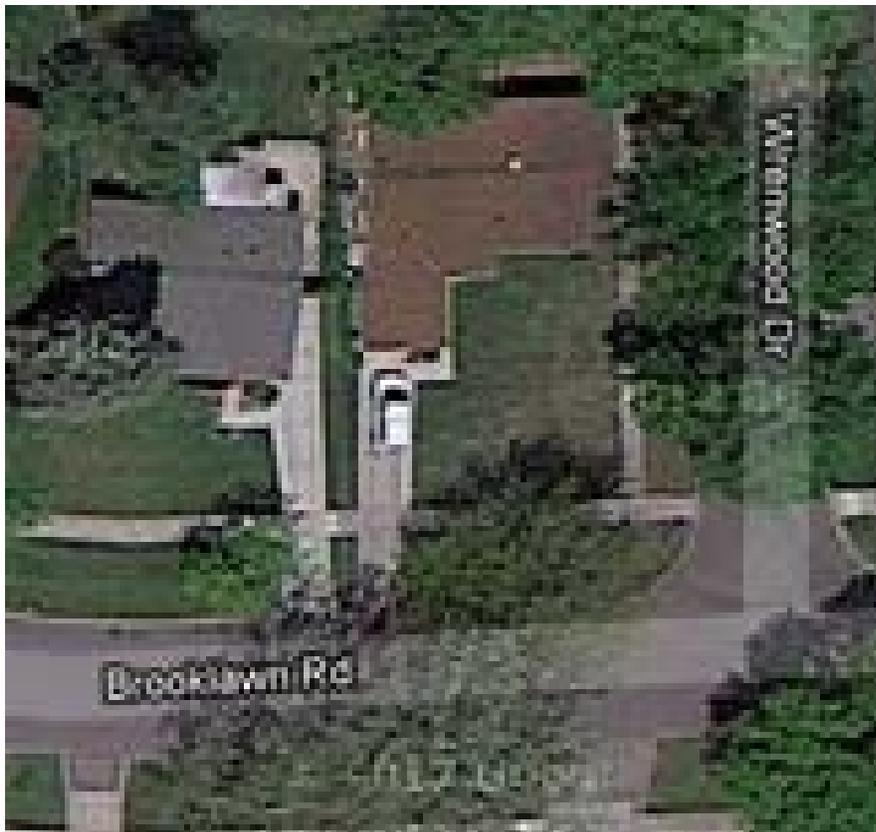
My wife and I purchased 854 Brooklawn in late August 2012. We couldn't have asked for a better community to start our lives off together. We both work nearby and enjoy the area very much.

As homeowner we would like put a fence in our yard. After going to the city and applying for a permit, it was determined that we have 2 front yards. This document is designed to show why we feel a fence outside of the normal ordinance is appropriate for 854 Brooklawn.

### **Other Corner Lots in Troy**

After finding out we had to apply for a variance we thought it best to explore our neighborhood and see where potential solutions or existing variances may have been in put in place.

### **998 Brooklawn Troy MI**





982 Brooklawn





The above properties were a few homes in our direct neighborhood that have fences on corner lots. There are many additional homes in our neighborhood that have fences.

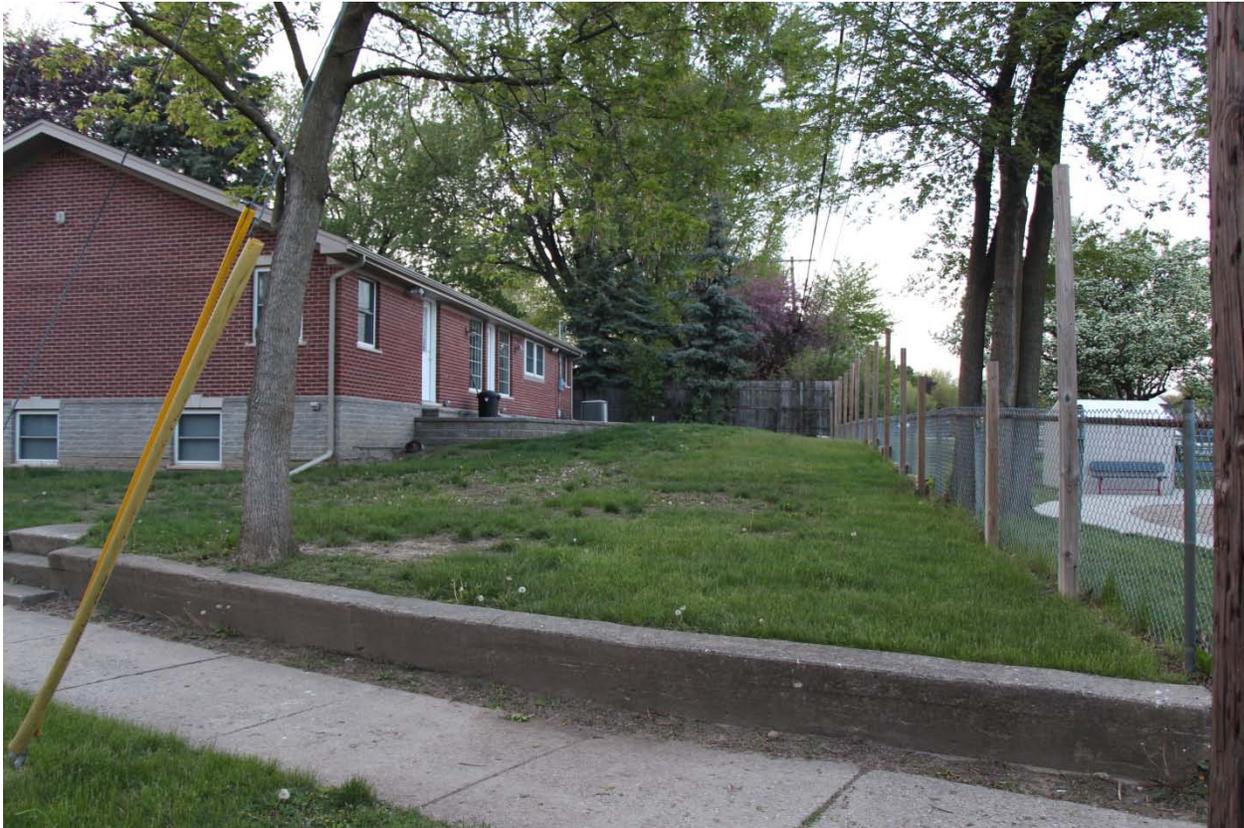
**Our Lot and Proposed Fencing**

854 Brooklawn is an interesting corner lot, you can see it is much different than the 2 lots shared above. It is elevated and situated in such a way that the believed “defined” back yard would be less than 5 ft in depth. This backyard would also back to our neighbor’s side yard.



We feel is the logical back yard is the area that is directly behind the back of our front door. Our front door faces Brooklawn. By using this as our back yard we would be able to gain around 25 ft of usable depth. We would also propose that our backyard run to the sidewalk, along the sidewalk and then return to the back wall of our house. (see below picture and attached

drawings and proposals).



We are proposing (see attached drawing, renderings and proposals) a 6ft wood privacy fence installed by Action fence. This product is pressure treated wood boards with a routed cedar rail and/or optional decorative woodwork that finishes the look off. This product is stainable/paintable and comes backed by Action fence for an extended period of time due to our location.



More photos are available at <http://www.actionfenceofmi.com/>

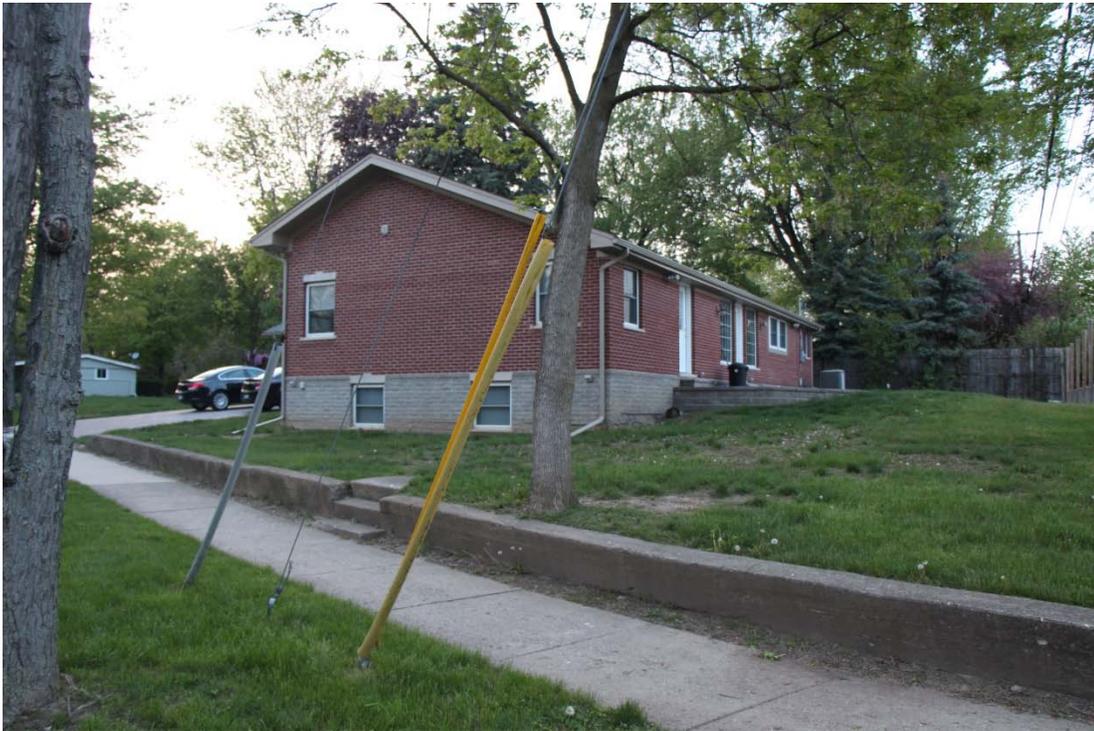
The rest of this document will discuss how we feel that we can successfully execute an esthetically pleasing and practical solution to provide safety, security, privacy and other needs to our family.

### **Safety**

As homeowners we would like to provide the safest home site possible. As a family we plan to have children one day. In addition to children in the future we also enjoy our caring for our adopted retired leader dog Scout.

854 Brooklawn is a unique property compared to some other lots in Troy that can prevent some unique safety challenges. Below I will do my best to highlight these challenges with descriptions and images.

- **854 Brooklawn is elevated**



- Our back/side yard is elevated some 18+ inches above the sidewalk. Our yard butts directly up to this abrupt drop off.
- This abrupt drop off presents a fall hazard to future children we hope to have
- We sometimes notice children or pet owners entering this area and would like to limit as much of this risk as possible.

- **854 Brooklawn is located near a busy Intersection Pembroke Buss Circle Graefield and Witherbee**



- This T in the road can be very busy due to its close proximity to Pembroke Elementary School drop off/ bus area.
- As a safety to potential future children we would like provide a safe contained area for them to play.
- As a safety for motorists passing by we would like to prevent any children/pets/balls/toys from moving from the elevated yard into the sometimes very busy street.

## Security

As new members of the neighborhood we have made some observations as well as experienced some unsettling events. We would like to make our property as secure as possible.

- **Missing personal property:**
  - The city of Troy required us to have several trees removed. The wood was offered to us by the city.
  - We accepted the generous offering and stacked the wood along our patio bricks in the yard.
  - We came home one afternoon to find that this wood had been removed from our property without our permission. There were tire tracks backing directly up to the concrete berm that separates our yard from the sidewalk.
- **Exposed windows and doors:**
  - Our property has several large windows on the back of the house.
  - We have proper window treatments to provide privacy.
  - However we feel enclosing our yard would provide greater security to our home.

## Privacy

As homeowners we would like to be respectful of our neighbors privacy. To us this also means having some privacy of our own. 854 Brooklawn presents some unique challenges to privacy that will be addressed below.

- **854 Brooklawn is Elevated:**
  - As described above our property is elevated.
  - This puts our yard and patio on display for all who pass by. In addition views through our back windows are quite obtainable from the sidewalk.
  - It is quite possible that a fence would trap sound that may travel from the elevated location that exists.
- **854 Brooklawn borders a school playground:**
  - Families often bring their pets and children to the playground. This presents both a privacy issue to us as homeowners as well as the patrons of the school

grounds. It might be nice for users of the playground to not feel like they are intruding on a homeowner's property and be able to fully enjoy the grounds.

- **Trash on our Property:**
  - Quite often we come home to find items from people in our backyard. (perhaps school children). We find things like chip bags, bottle caps ect. in our yard from time to time.

## **Summary**

As homeowners we take an immense sense of pride in our property. We feel that it is justified that some form of variance is granted to allow us to properly scope a backyard for our family's future. In addition to our family's future safety and privacy we will reiterate some points below:

- The product we are proposing is high quality and esthetically pleasing, increasing curb appeal of our home and thus potentially enhancing the neighborhoods look as a whole.
- We propose to have this installed by a reputable installer.
- We have asked some of our neighbors for support and they have provided it (attached documentation)
- A fence will potentially provide increased property value to our home as well as our neighbors.
- A fence will increase safety and privacy for us as homeowners as well as our neighbors.
- 854 Brooklawn faces many unique challenges that some other homes may not face and fence would help remedy some of those described in detail above.

We thank you for your consideration in our variance proposal. We look forward to hearing your feedback.

Thanks

Paul and Nicole D'Angelo

## 854 Brooklawn Area Impact Document

Impact on the surrounding area of 854 Brooklawn will be limited to our home, our neighbors and the school. Below I will describe the believed impact on the neighborhood.

- **Our Neighbors**
  - Our neighbors will look at a nicely maintained privacy fence.
  - Our neighbors will no longer have to look at the playground, some have indicated they would rather look at a fence than the playground and chain link fence from the Birmingham School Pembroke
  - We have asked our neighbors who are closest to where the fence will be how they feel about it. Their support is attached
  - The product we are choosing is esthetically pleasing and may increase our neighbor's property values and the neighborhoods visual appeal.
  
- **The school Pembroke Elementary**
  - The school should not be impacted by this change.
  - Many houses that back up to the common school grounds have privacy fences.



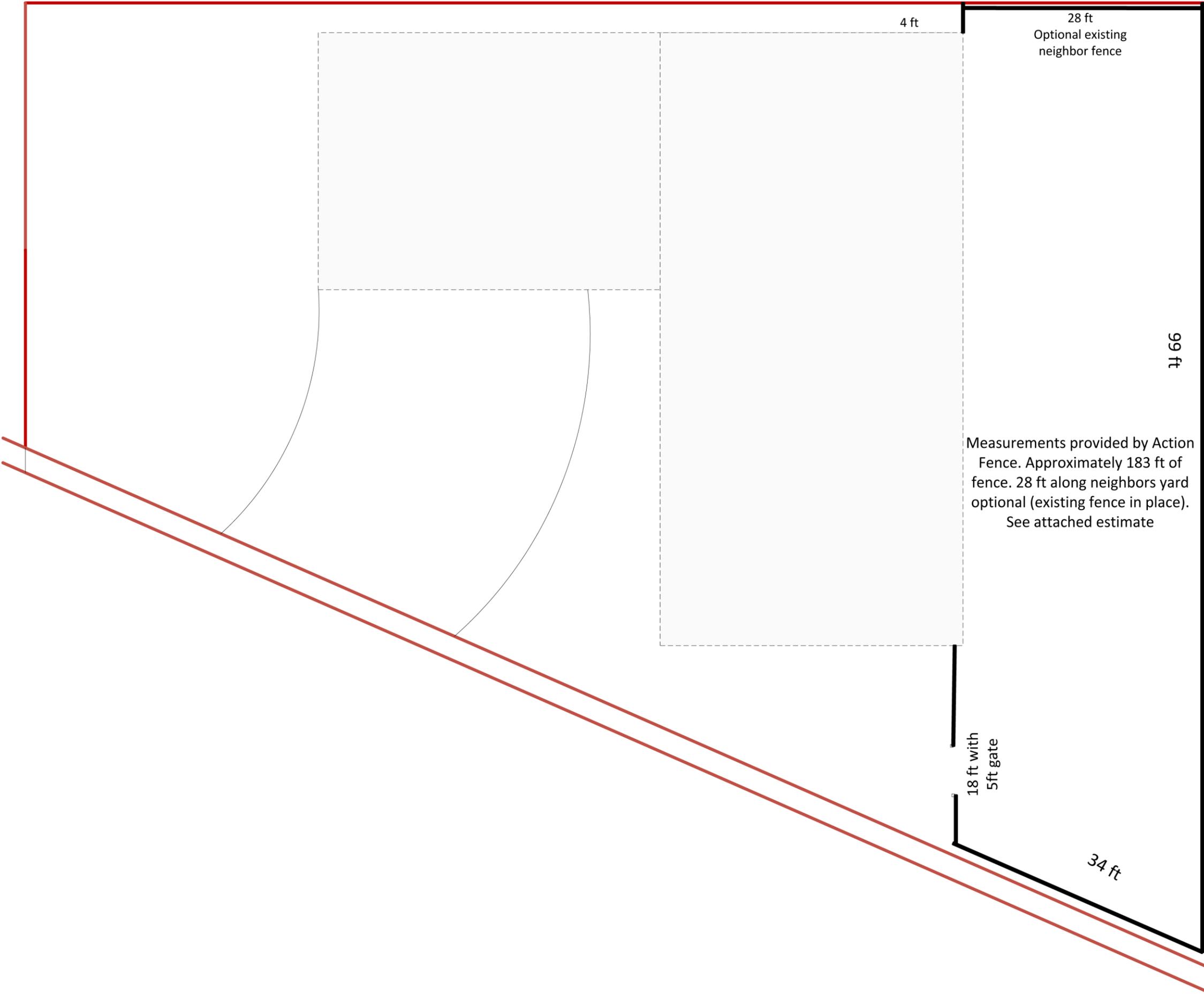
- This may also prevent children from climbing the existing chain link fence into our yard (as you will see our yard is elevated and a child climbing this could easily fall)





- **Our Home 854 Brooklawn**

- Many sources indicated a fence will help our property value.
- The product we are choosing is esthetically pleasing and will add curb appeal to our property.
- The fence will also add privacy and security
  - We often come home to find loose trash (wrappers and such) from the school yard on our property/back yard
  - We have had firewood stolen off of our property
  - We have had other items such as solar landscaping lights stolen as well.



# PROPOSAL

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

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

PROPOSAL SUBMITTED TO <b>PAUL D'ANGELO</b>	PHONE <b>586-350-8910</b>	DATE <b>5-7-13</b>
STREET <b>854 Brooklawn</b>	JOB NAME	
CITY, STATE AND ZIP <b>TROY 48064</b>	JOB LOCATION <b>CORNER OF BROOKLAWN + WITHERBEE PK.</b>	
ESTIMATOR <b>STEVE</b>	REFERRED BY <b>WEBSITE</b>	JOB PHONE

Landscaping Surveyed? **NO**

Install Fence:  
 Level  Follow Grade

Obstruction in Fence Line Above Ground:  
 Owners responsibility to leave clear access  
 Contractors responsibility  
 No obstructions

Wood Fence Nice Side Faces  
 In  Out

Remove Fence **YES**

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 the excavated dirt go on property?

**We hereby submit specifications and estimates for:**

**PRICE SUBJECT TO CHANGE AFTER VARIANCE MEETING**

**OPTION #2 PVC WHITE Solid 6" HIGH WITH GATE \$6772.00**

**CUSTOMER TO APPLY FOR VARIANCE**

Total Footage <b>183' FENCE GATE</b>
Type of Fence <b>TREATED PATED RAIL</b>
Post Specs.
Extra Features or Special Tools Needed

**Customer to pull permit if required**

**CUSTOMER WILL ADVISE WHERE DIRT DOES NOT INSTALL**

I, customer, hereby agree to stake the lines as 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.

For the Sum of \$	<b>4872.00</b>
Haul-Away \$	<b>N/A</b>
Building Permit \$	<b>15.00</b>
Sales Tax \$	<b>INCL.</b>
Total \$	<b>4907.00</b>
Down Payment \$	<b>1700.00</b>
Balance Due \$	<b>3207.00</b>

**Final Payment Due Upon Completion**

## 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 \_\_\_\_\_

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

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

Paul and Nicole D'Angelo  
854 Brooklawn Dr.  
Troy, MI 48084  
May 11, 2013

Dear Neighbors:

We wanted to take a moment to introduce ourselves. My name is Paul and my wife's name is Nicole. We purchased 854 Brooklawn in late August and were married shortly after. As you may have noticed we have performed considerable renovations, most of which have been to the inside of our home. So thank you for bearing with us as we sometimes made too much noise, or had contractors out and about around our property.

As summer approaches we have turned our attention to the outside of the property. We plan to repair the lawn and install flower beds and shrubs to help finish off the look of our home (currently it looks a little rough and we know that might not be easy on the eyes).

In addition to our landscaping and lawn repair we hope to install a fence in our yard that backs up to the school.

During the permit process the building department deemed due to the nature of our lot it has been deemed we have 2 front yards. The city of Troy has requested we file a variance to use the product we are proposing.

We are proposing that this fence runs along the back of our property to the sidewalk, along the side walk and then returning to the back wall of our house. We plan for this fence to be a privacy fence.

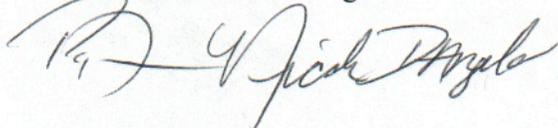
With that said we would like to also check in with you to be sure this is something that you would be ok with. If you could please sign the attached document with your name, address, signature and a note that you are ok with the fence, Nicole and I would really appreciate it.

We really enjoy the neighborhood and couldn't have picked a better place to start our lives out.

Thank you in advance for your support.

Sincerely,

Paul and Nicole D'Angelo

A handwritten signature in cursive script, appearing to read "Paul and Nicole D'Angelo". The signature is written in dark ink and is positioned below the typed name.

Name	Address	Signature	Note
Yeheng Zhang	1740 Wetherbee DR	Yeheng Zhang	OK!
Linda Howard	1714 Wetherbee Dr.	Linda Howard	OK
Nancy Knutson	1204 Wetherbee	Nancy Knutson	OK
Dan + Jody Gaber	1726 Wetherbee	Daniel Gaber	OK











3. HEARING OF CASES

- B. **VARIANCE REQUEST, JOHNNY AND ASHLEY HEANG, 2022 CHANCERY** – A variance to install a six (6') foot high privacy fence in the twenty five (25') foot required front setback along John R where the fence height is limited to thirty (30") inches.

**CHAPTER 83, SECTION 2 (A)**

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

RECEIVED

MAY 16 2013

PLANNING

**SIGN APPEALS**

**FEE \$50**

CITY OF TROY PLANNING DEPARTMENT  
500 W. BIG BEAVER ROAD  
TROY, MICHIGAN 48084  
PHONE: 248-524-3344  
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**CONSTRUCTION OR FENCE CODE APPEALS**

**FEE: \$50**

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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: 2022 Chancery Dr. Troy, MI 48085

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

2. PROPERTY TAX IDENTIFICATION NUMBER(S): \_\_\_\_\_

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

Fence

4. REASONS FOR APPEAL/VARIANCE: *On a separate sheet, please describe the reasons justifying the requested action. See Submittal Checklist*

5. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? YES

NO

6. APPLICANT INFORMATION:

NAME Ashley & Johnny Heang

COMPANY \_\_\_\_\_

ADDRESS 2022 Chancery Dr.

CITY Troy STATE MI ZIP 48065

TELEPHONE 614-589-0814

E-MAIL \_\_\_\_\_

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

8. OWNER OF SUBJECT PROPERTY:

NAME Same as above

COMPANY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

TELEPHONE \_\_\_\_\_

E-MAIL \_\_\_\_\_

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

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

I, Ashley Heang (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 Ashley Heang DATE 5/17/13

PRINT NAME: Ashley Heang

SIGNATURE OF PROPERTY OWNER Ashley Heang DATE 5/17/13

PRINT NAME: Ashley Heang

*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 first class mail.*

We would like to build a 6ft. privacy (wood) fence around our yard. We have a young child and dog and it will help to keep them safe. We have bushes and other trees that will disguise most of it from a drive by view.

Thank You  
Stacy & Henry  
+  
Johnny & Angela



# FENCE PERMIT APPLICATION

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

FENCE

Date: 5/17/13

<b>Project Information</b>	Job Address: <u>2022 Chancery Dr.</u> Suite # _____	
	Lot: _____ Subdivision: _____	
	Owner: <u>Johnny Ashley Heang</u>	Phone: <u>614-589-0814</u>
	Work to be Performed: <input checked="" type="checkbox"/> New <input type="checkbox"/> Move <input type="checkbox"/> Repair <input checked="" type="checkbox"/> Res. <input type="checkbox"/> Comm. <input type="checkbox"/> Ind.	
<b>Applicant Information</b>	Name: <u>Ashley Heang</u> Phone: <u>614-589-0814</u> Fax: _____	
	Address: <u>2022 Chancery Dr.</u> City: <u>Troy</u> State: <u>MI</u> Zip: <u>48065</u>	
	Email: _____	

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

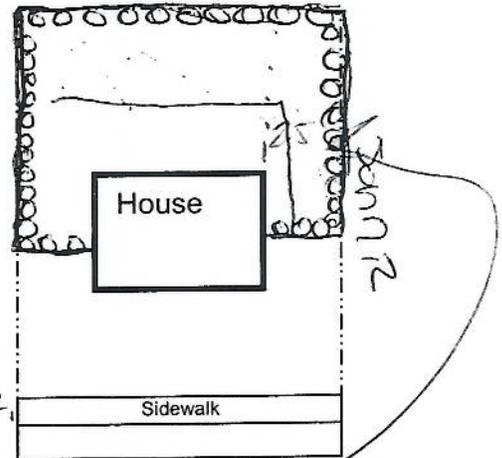
Final lot grade shall be approved before a fence permit is issued.

Please use the box below as if it were a drawing of your lot.

Draw in the proposed fencing using the symbols from the chart.

Indicate the number of feet for each portion of fence.

Type, height, and lineal feet of material to be used:					
Type:	Wood	Wire	Metal	Masonry	Other
Symbols:	000000	xxxxx	///////	□□□□	-----
HEIGHT	<u>6 ft</u>				
NO. OF FEET	<u>305 ft.</u>				
PERMIT FEE	<input type="checkbox"/> Under 300' \$15.00		<input type="checkbox"/> Over 300' \$25.00		



Interior Lot

Corner Lot

Building Department Approval Denied Need B.O.A. variance, 25' SETBACK REQ'D.

Section 23a of the state construction code act of 1972, 1972PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subject to civil fines.

Ready for Inspection  Will Call

Applicant Signature Ashley Heang  
 Homeowner's signature indicates compliance with homeowner's affidavit

**Homeowner Affidavit**

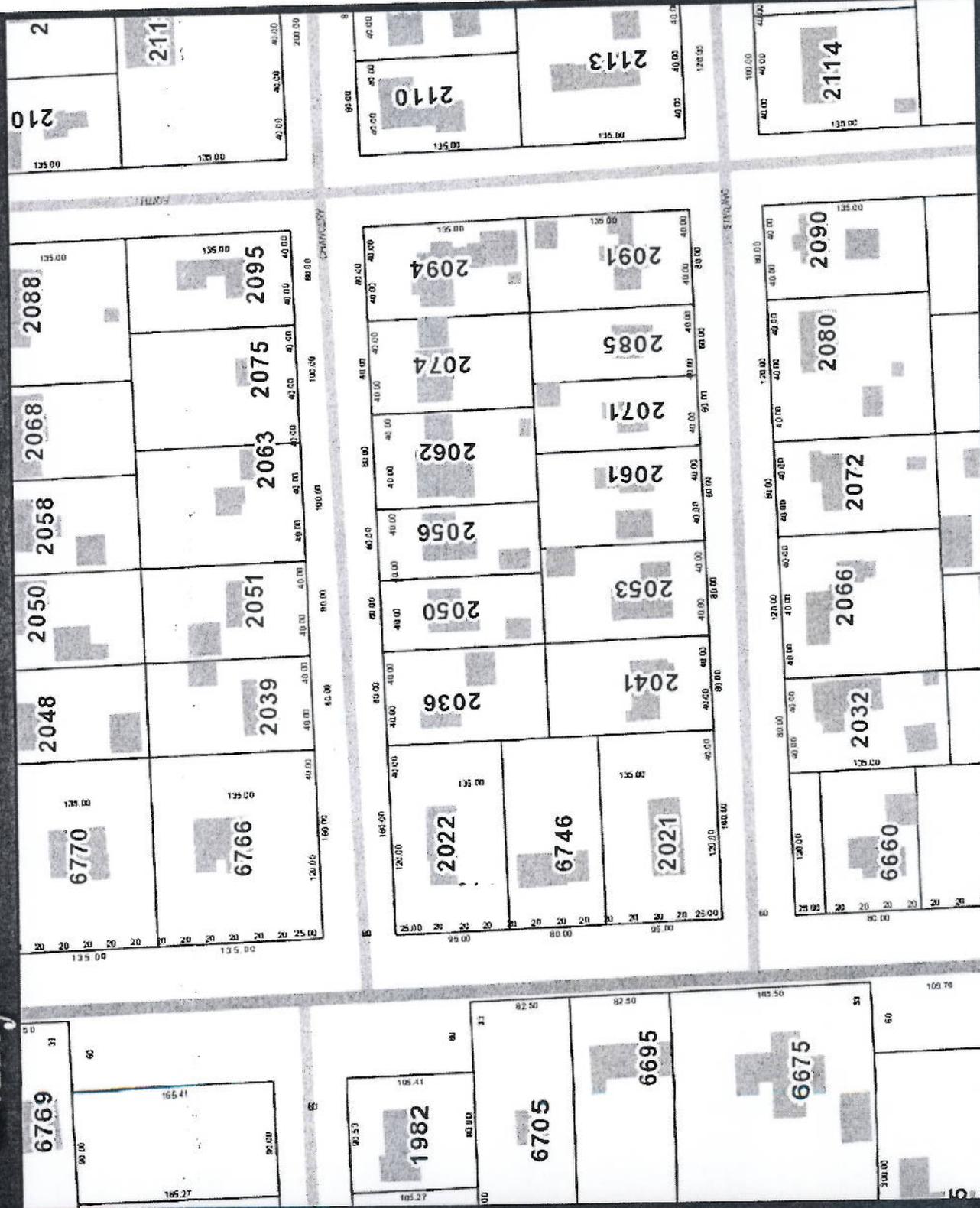
I herby certify that the fencing described on this permit application shall be installed by myself in my own home in which I am living or about to occupy. All work shall be installed in accordance with the Chapter 83 of the Troy City Ordinance. I will cooperate with the Building Inspector and assume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

**I CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT AND THAT I HAVE REVIEWED ALL DEED RESTRICTIONS WHICH MAY APPLY TO THIS CONSTRUCTION AND AM AWARE OF MY RESPONSIBILITY THEREUNDER.**

Subscribed and sworn to before me this 17 day of May 2013 Notary Public, Oakland County, Michigan  
Gerald Rice  
 My commission expires 12-28-16

GERALD D. RICE  
 NOTARY PUBLIC, STATE OF MI  
 COUNTY OF OAKLAND  
 MY COMMISSION EXPIRES Dec 28, 2016  
 ACTING IN COUNTY OF Oakland

Legend:  
Parcels



Notes:

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

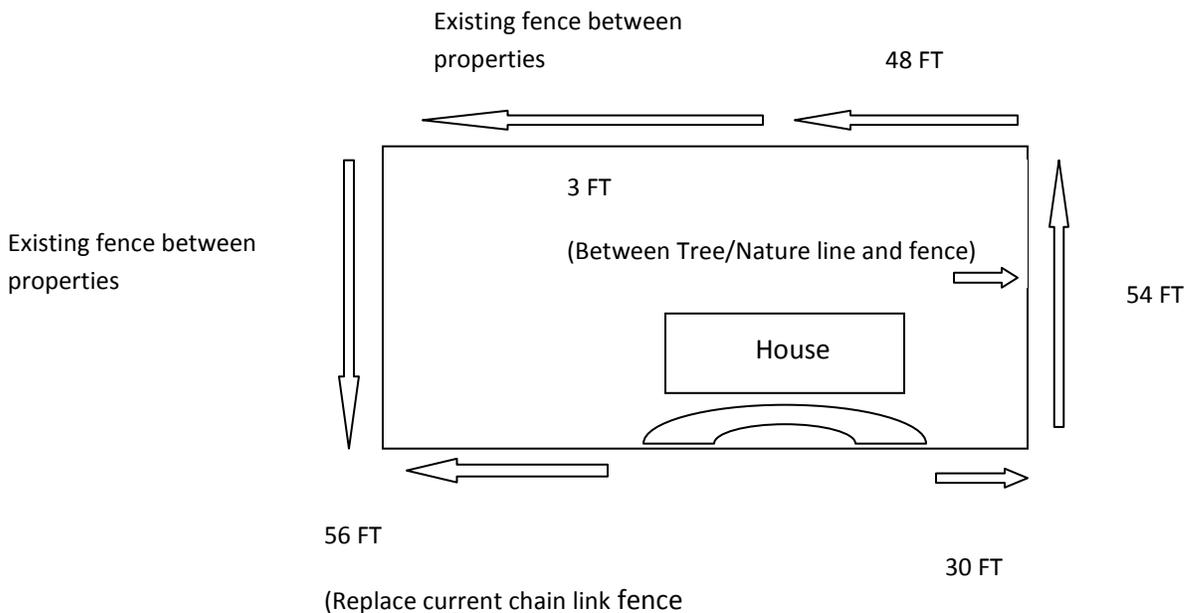


May 19, 2013

To Whom It May Concern,

My family (Husband, 14 month daughter, Dog, and Cat) and I recently moved to Michigan (about a year ago). We have been renting, but decided to purchase a home and had heard many good things about the city of Troy and decided to make it part of our house search and were lucky enough to find our first house at 2022 Chancery Dr. We are very pleased with our decision and think this will be a great location to raise our daughter.

We would like to build a 6 foot, wooden privacy fence on our property, which has a double front view (John R and Chancery). Please see our example below.



John R is a very busy street, and at many times through the day, the traffic is very high. The fence would help to better ensure our daughter and dog's safety from the very busy John R. Our current view of John R is lined with some decorative and pine trees, but it is not completely filled in. We would like to build the fence behind the tree/nature line so it would be less visible to any passersby. Please see pictures below of the current tree/nature line view from our house.

Tree/Nature line (Left to Right = South to North)



Tree/Nature Line (South corner of yard along John R)

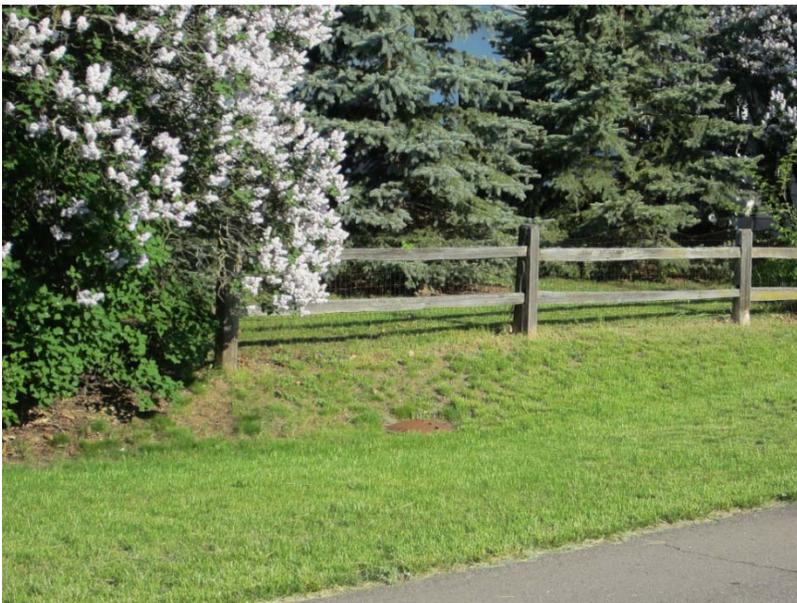


We have taken some time to review the houses in our surrounding community and have identified quite a few houses with a double front view that have visible fences, a few sit directly on John R as well. Please review the below photos. (Please note: We have tried to maintain the correct order of the pictures and addresses, but our downloaded information may be out of order)

2114 Stirling



2197 Stirling



2198 Burdic St



2197 Burdic St



2198 Jarman St



2090 Harned



6746 John R



2116 Gulliver Dr



2025 John R and Burdic



Thank you very much for your consideration. We are very excited to join such a great community and sincerely hope that the information we have provided to you will help in an approval of our request.

Truly yours,

Ashley Heang