

**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
<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
<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

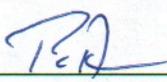
The undersigned hereby declare(s) under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

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

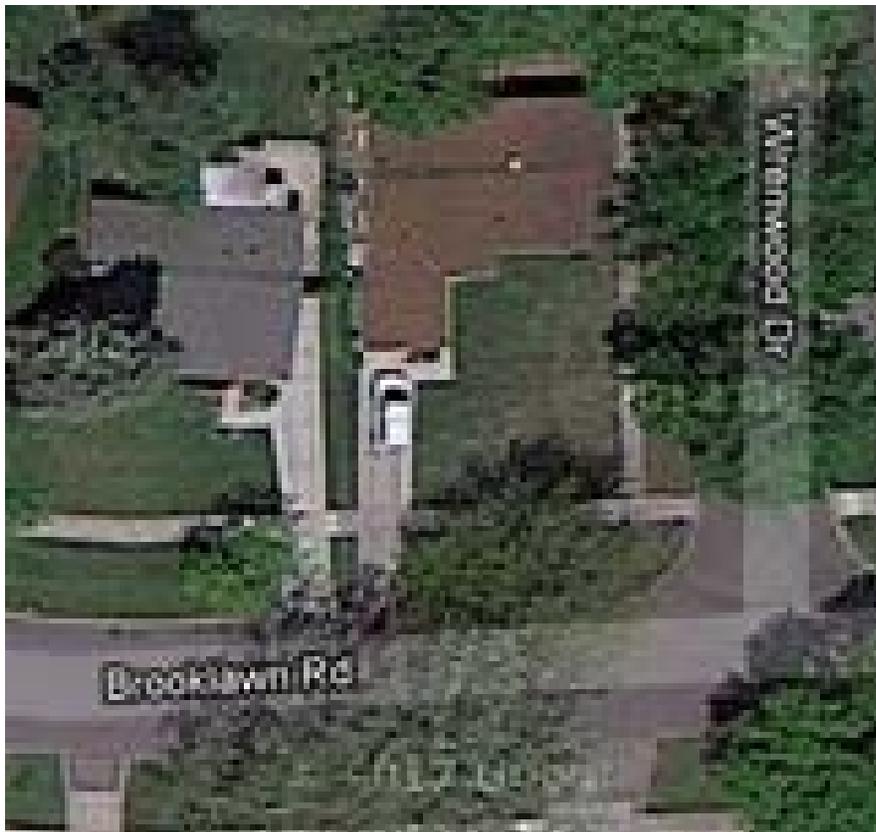
My wife and I purchased 854 Brooklawn in late August 2012. We couldn't have asked for a better community to start our lives off together. We both work nearby and enjoy the area very much.

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 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.

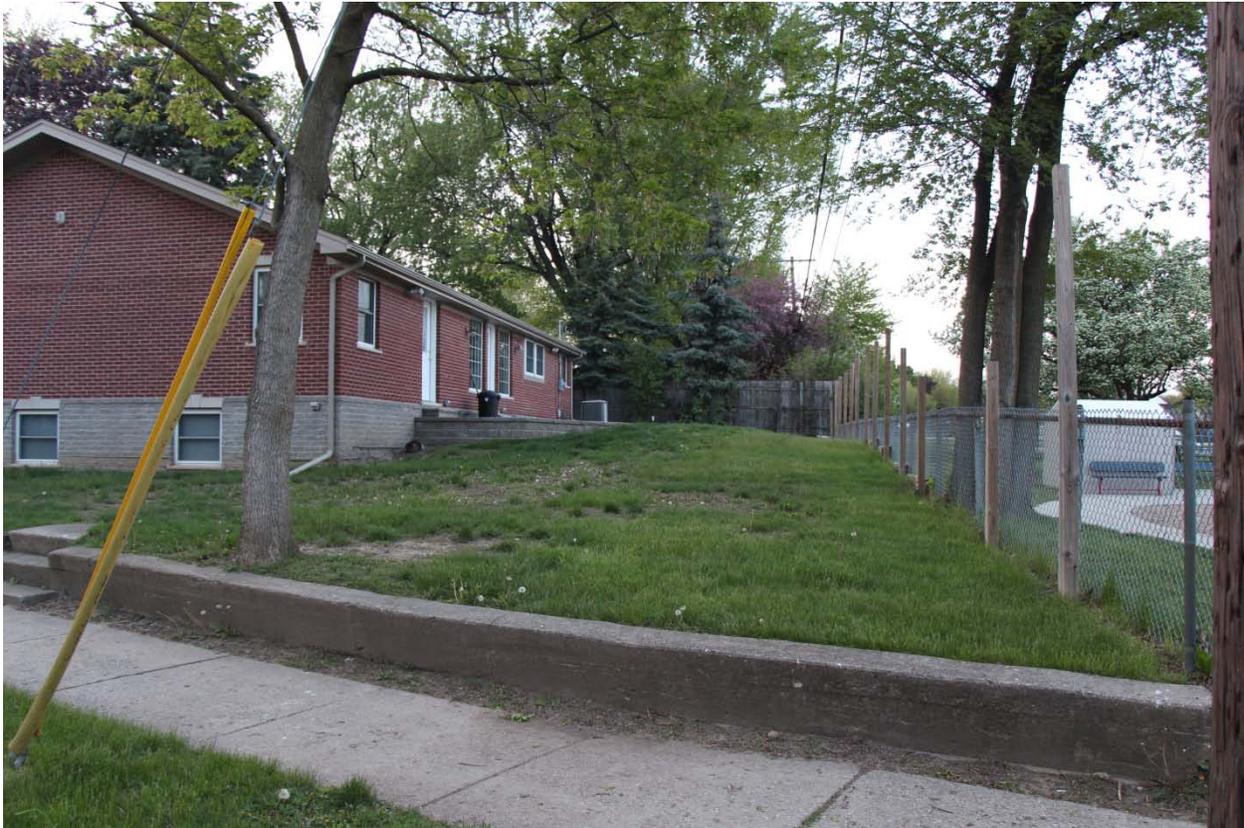
Our Lot and Proposed Fencing

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 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.



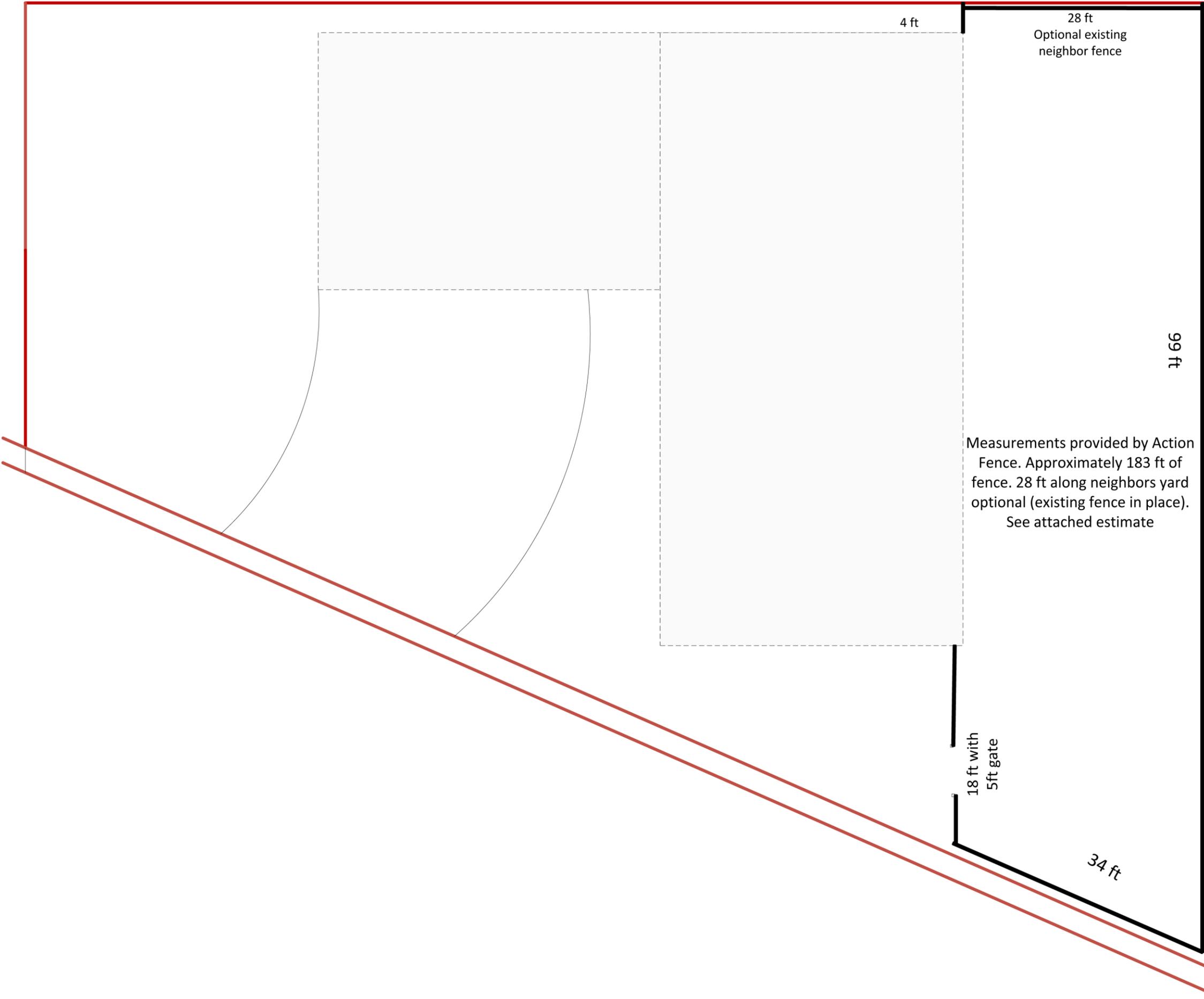
- This may also prevent children from climbing the existing chain link fence into our yard (as you will see our yard is elevated and a child climbing this could easily fall)



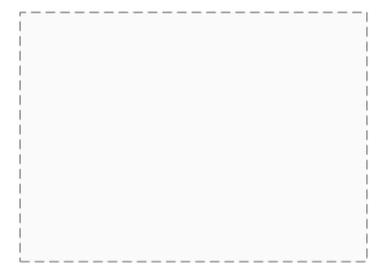


- **Our Home 854 Brooklawn**

- 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.

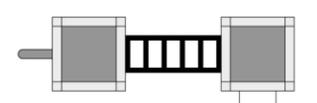


Birmingham School Play Ground

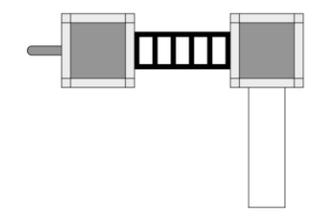


Shed

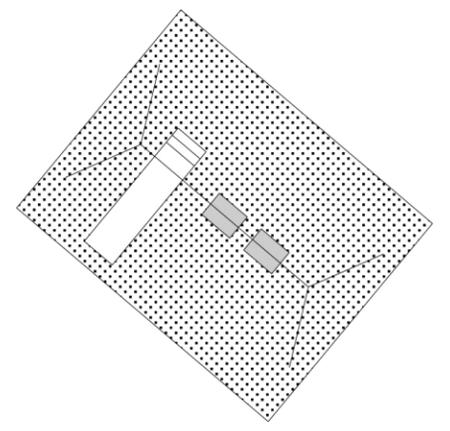
Birmingham School Play Ground



Birmingham Schools Play Ground



Birmingham School Play Ground



PROPOSAL

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

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

PROPOSAL SUBMITTED TO PAUL D'ANGELO	PHONE 586-350-8910	DATE 5-7-13
STREET 854 Brooklawn	JOB NAME	
CITY, STATE AND ZIP TROY 48064	JOB LOCATION CORNER OF BROOKLAWN + WITHERBEE PK.	
ESTIMATOR STEVE	REFERRED BY WEBSITE	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 183' FENCE GATE
Type of Fence TREATED PATED RAIL
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 \$	4872.00
Haul-Away \$	N/A
Building Permit \$	15.00
Sales Tax \$	INCL.
Total \$	4907.00
Down Payment \$	1700.00
Balance Due \$	3207.00

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.

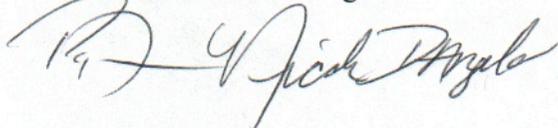
With that said we would like to also check in with you to be sure this is something that you would be ok with. If you could please sign the attached document with your name, address, signature and a note that you are ok with the fence, Nicole and I would really appreciate it.

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









