



CITY OF GROSSE POINTE WOODS

20025 Mack Plaza Drive
Grosse Pointe Woods, Michigan 48236-2397

December 4th, 2024

RE: Permit PE240043 1488 Roslyn Rd, Grosse Pointe Woods, MI, 48236

Dear Council Members,

The Grosse Pointe Woods Building Department recently received a permit application to install a 5 ft. tall fence along the east property line of 1488 Roslyn Rd. The permit application was denied due to the fact that the fence would be installed starting at the front main building line corner, which is defined as part of the front yard. A fence located in the front yard is limited to a maximum height of 30 inches.

Article IX – Fences.

Sec. 8-274 Definitions. *Front yard* means that portion of the front yard established between the sidewalk and ten feet behind the front most main building line. If a sidewalk does not exist, the front yard shall mean that portion of the front yard established between the end of the city right-of-way and ten feet behind the front most main building line.

Sec. 8-280 – Front yard fences. Front yard fences shall have a minimum height of 24 inches and a maximum height of 30 inches from the property grade line.

Sec. 8-284 (3) *Special circumstances*. A public hearing is required when the application does not meet all the requirements of the article.

After visiting the site and several discussions with Mr. Palmer, the Building Department would like to recommend approval to place the fence at the front most main building line of the home.

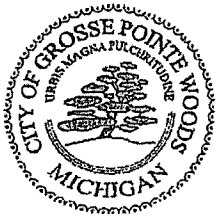
Sincerely,



Jeremy Collins

Building Official

City of Grosse Pointe Woods



THIS FORM MUST BE TYPED

CITY OF GROSSE POINTE WOODS
20025 MACK PLAZA - GROSSE POINTE WOODS, MI 48236
CITY CLERK - (313) 343-2440 - FAX (313) 343-2783
BUILDING DEPARTMENT - 313-343-2426 - FAX (313) 343-2490

RECEIVED
DEC 04 2024

RECEIVED
DEC 06 2024
CITY OF GROSSE POINTE WOODS
CLERK'S DEPARTMENT

APPLICATION FOR PUBLIC HEARING - FENCE APPROVAL

1. Address of the Property 1488 Roslyn
(Number and Street)

TO THE CITY COUNCIL

Robert Palmer and Gemma Zitzmann (spouse)

I (We)

Name (Please Print) Phone No. (Daytime)
1488 Roslyn Grosse Pointe Woods Michigan 48236
Address City State Zip

Hereby appeal to the CITY COUNCIL for an exception to the fence ordinance, particularly the following sections/regulations:

Article IX Fences - 10 foot set back behind the front most main building line

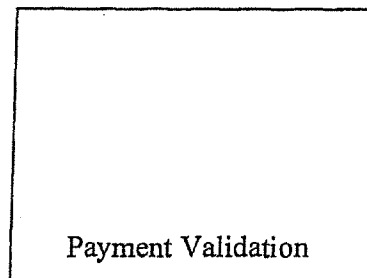
2. DESCRIPTION OF CASE (Fill out only items that apply)

a. Present zoning classification of the property residential R-1E

b. Description of property

(1) Size and Area of Lot

(2) Is the lot a corner or interior lot? Corner lot - Roslyn and Charlevoix



3. TYPE OF EXCEPTIONS REQUESTED - Common regulations subject to exceptions requests: setbacks, non-consent of adjacent property owner(s), landscaping, odd shape lots, wetland, creek, natural features, big trees or slopes. I request an exception to the 10 foot set back rule so that I can replace the prior 5' fence with a new fence on the same fence line as the old fence which is even to the front of the front most building (residence) on my lot.

*****THIS FORM MUST BE TYPED*****

The applicant must present evidence to show that an exception is warranted by addressing the following factors: (please answer all four)

- a) The balance of the applicant's hardship to the interests of the adjacent property owner(s).
The replacement fence is the same height as the old fences which have existed since I purchased the house in 1983 and long before that by the appearance. It is a beautiful cedar shadow box fence which enhanced the appearance of the side of my house. Two out of the three neighbors on my corner already have backyard fences that end at the front of their main building. None of the three object to the replacement fence.
-

- b) What special circumstances exist that support the request.

see attached.

- c) Whether pedestrian or vehicular vision will be affected. If so, how?

see attached.

- d) How the exception would not impact the general health, safety and welfare of the neighborhood.

see attached.

***NOTE:** When answering questions pertaining to the exception(s), additional paper may be used if necessary.

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.


Signature of Applicant

*****THIS FORM MUST BE TYPED*****

Subscribed and sworn to before me this 4th day of December 20 24
Regina V. Bell
Notary Public

REGINA V. BELL
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
My Commission expires Jan 4, 2029
ACTING IN COUNTY OF Oakland

NOTE: The City Council meets the first and third Monday of each month at 7:00 PM. The application must be filed with the City Clerk with a fee in the amount of \$375 a minimum of 14 days prior to council hearing.

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.

Germa Aytman
Signature of Applicant

THIS FORM MUST BE TYPED

Subscribed and sworn to before me this 14th day of December 20 24

Regina V. Bell

Notary Public
REGINA V. BELL
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND

My Commission ~~EXPIRES~~ EXPIRES Jan 4, 2029
ACTING IN COUNTY OF Calif and.

NOTE: The City Council meets the first and third Monday of each month at 7:00 PM. The application must be filed with the City Clerk with a fee in the amount of \$375 a minimum of 14 days prior to council hearing.

Re: 1488 Roslyn Cont'd

3. b) Response

- My wife and I purchased our home in 1983. At the time we purchased our home there was a wood stockade fence that ran the length of the yard and ended with a perpendicular turn even with the front edge of our home. The main portion of the fence is on Charlevoix with an 8-10 foot turn on Roslyn. I live on the corner of Charlevoix and Roslyn. The original fence which I believe may have existed since the house was built in 1940 was a 5'6" Gray thin wood stockade fence.
- Sometime in the 90s the original fence became rotten and weathered and needed to be replaced, portions of it were actually blown down by the wind. I replaced that fence with a 5' wood shadow box fence which I placed in the exact location of the original fence.
- There is approximately 8 to 12 feet between the side of my house and the sidewalk. Immediately next to my house resulting in a large patio area. When I moved in it was a flagstone patio with a number of cracked and shifted flagstones. I replaced the entire patio with pavers held in place with cement to form a patio that ran from the front line of my house back to the side door. I also installed an in ground gas BBQ which is approximately 4 feet from the front line of my house within the patio. I also landscaped both the front yard and the patio on each side of the fence. This condition has existed for at least 30 years.
- Recently I hired a contractor to repair the gates on the existing fence and to shore up several areas of the fence. I was advised that the upright fence posts were significantly rotted and that the fence needed to be replaced before it broke or fell in places.
- I contracted with my contractor to provide a beautiful new cedar shadow box fence which was to be put in exactly the same fence line as the prior two fences. My contractor submitted a plan and after the fence was removed, my contractor was advised by the building inspector that the fence could not be put in could not be placed where the prior fences had been due to the 10 foot setback ordinance. This was my first notice after living in the house for 40 years that there was a problem with my fence.
- In the event the ordinance is followed my paved installed patio will be bifurcated in the middle and my gas grill will be outside the fenced in area and will essentially be in my front yard. And given the existing landscaping there will appear to be a gaping hole as one looks along the side of my house. The only other alternative would be to spend thousands if not 10s of thousands of dollars to tear out and relocate the patio and tear out relocate the gas grill. If I do this again there would still be a large gap that does not fit the landscaping of my house.
- My house is elevated and there is a **burn held up by pavers** that the fence sits on top of. It is very attractive and further, numerous people who walk that area essentially allow their children to walk along the berm while holding on to the fence as an adventure. Numerous parents have thanked me for this this situation.
- I routinely receive a number of compliments relative to the outside of our home. Completion of the fence up to the front line will enhance the appearance of my house and would be consistent with how the house has looked since it was built in 1940.
- The fence line that is equal to the front line of my house is covered by a landscaping and accordingly is actually hardly visible from Roslyn.
- I should also note that on my corner 2 of the other houses have backyard fences that run to the front line of the residences of those properties. Thus, my fence rather than being different is consistent with the appearance of the homes on my corner.

- I am good friends with all three of the couples on my corner and have talked to them about the fence and no one has indicated any objection. I hope to have letters from them at the time of the hearing.
- I have had discussions with the inspector, and it is my understanding that although he identified a technical violation of the zoning ordinance he supports construction of the new fence consistent with the plan submitted along the same fence line as the old fence.
Pictures will be provided at the hearing or before.

3. c) Response

My home is on the corner of Roslyn and Charlevoix. Charlevoix has a lot of traffic both pedestrian and vehicular. The area where the additional fence is proposed to be replaced is a patio by the side of my house where my family and I barbecue and eat outside at a patio table. In the event the fence is not put in passers by both pedestrians and vehicles will have open access to watching me grilling and watching my family and I interact while sitting there. There is no advantage to allowing outsiders to see this. The detrimental effect is a significant invasion of our privacy. The fence is a beautiful expensive cedar fence and adds to the beauty of my house that is seen by pedestrians and vehicular traffic. As noted before two of the other three houses on my corner have fences that end at the frontline of their homes. Thus, my home will merely be consistent with the other houses on my corner.

3. d) Response

The exception will positively impact the general health safety and welfare of the neighborhood. First, as previously noted my house sits higher than the sidewalk line there is a berm along the side of my house. Parents allow their children routinely to walk along that berm as an adventure. I often receive compliments and thanks from parents. In the event the fence is not completed the children will face an area without any support on one side which may cause them to fall to either side while they are enjoying their adventure. Second, leaving the area open will open up my backyard to the potential for theft. The fence extension is going to enclose a patio area where there are patio tables and chairs and a built in gas BBQ with grilling tools. Leaving the area open will subject all of those items to the risk of being taken. Also, having an open area where the fence edition is going to be put in will be an attractive nuisance to children in the neighborhood to run into my yard. I believe the fence replacement will greatly enhance the appearance of my home and the corner at issue and will, will protect the safety and general health of the community and will be a pleasant addition to our neighborhood.



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DEC 03 2024

CITY OF GROSSE POINTE WOODS
20025 Mack Plaza Grosse Pointe Woods, MI 48230
313.343.2426 / building@gpwmi.us

Residential Fence Permit Fee - \$100
Commercial Fence Applications- \$200
Re-inspection Fee (when applicable) - \$55

Application for Fence (Zoning Compliance Permit) - In Compliance With Article IX – Fences

- PROVIDE: 1) Mortgage survey/site plan with highlighted area where fence is to be placed.
2) Brochure/picture of proposed fence to be installed.

Fence Placement Address: 1488 Roslyn
Owner's Name: ROBERT PALMER
Owner's Address: 1488 Roslyn
Owner's Phone #: [Redacted] Owner's e-mail: [Redacted]

Contractor (if applicant): Michael Rudd (MJR MAINTENANCE) Phone:
Address: 23818 Haroon
Driver's License: DOB: 5-19-93
E-mail: mjrudd83@gmail.com

Work Description:

Height of Fence: 5'60 in Length of Fence: overall 110 area @ 155x24 feet
Style of Fence: Shadow box - cedar
Material of Fence: Wood X Metal Vinyl
Location of Fence Along Charlevoix by front of house (to be attached to existing fence)

HOMEOWNER AFFIDAVIT (IF pulling permit as a Homeowner)

I hereby certify the fence installation 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 Michigan Building Code and shall not be enclosed, covered up or put into operation until it has been inspected and approved by the Building Inspector. I will cooperate with the Building Inspector and assume the responsibility to arrange for necessary inspections.

* Homeowner Initials: _____

Neighbor's Consent:

1) (left side of property) Neighbor's name and signature

Address

Date

2) (right side of property) Neighbor's name and signature

Address

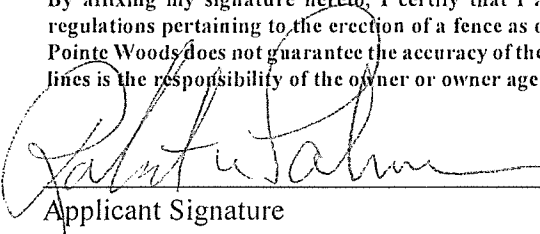
Date

3) (rear of property) Neighbor's name and signature

Address

Date

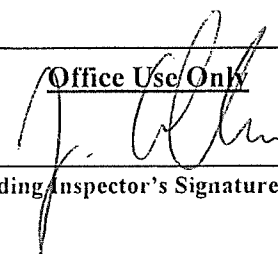
By affixing my signature hereto, I certify that I am the owner or acting, as the owner's agent, and I understand the regulations pertaining to the erection of a fence as described in Ordinance Sections #8-274 thru 8-284. The City of Grosse Pointe Woods does not guarantee the accuracy of the property lines as described herein, the accurate location of all property lines is the responsibility of the owner or owner agent.


Applicant Signature

12-3-
Date

Approved

Denied -

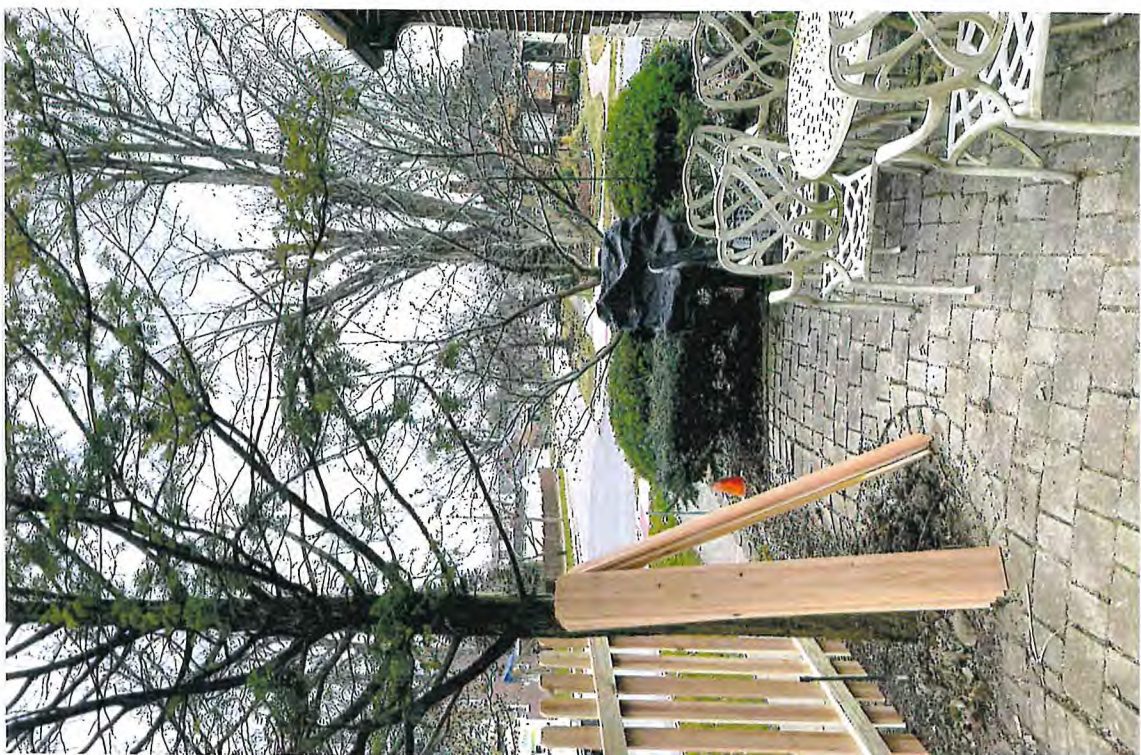
Office Use Only

Building Inspector's Signature

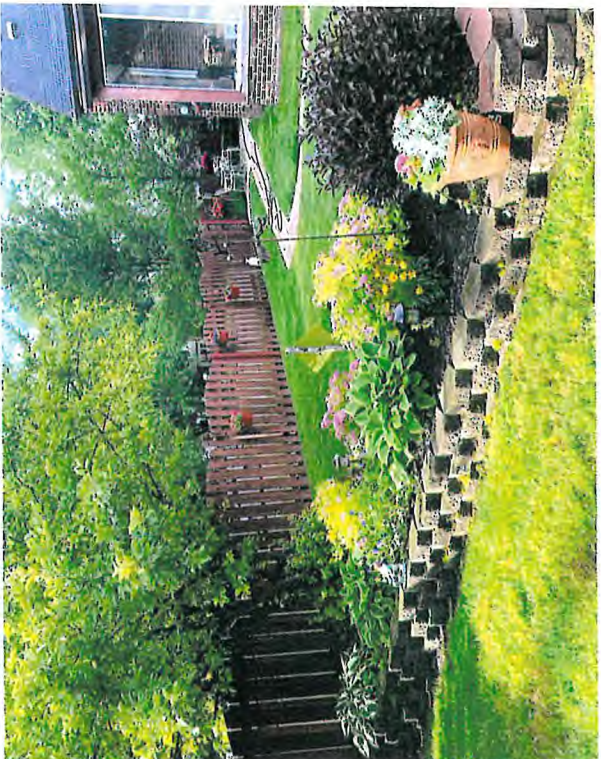
12, 4, 24
Date





10/18/2014





Sec. 8-274. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adjacent property means a property having a common boundary line.

Fence means any structure erected or placed along or within four feet of the property line to act as a boundary marker or erected for the purpose of restricting access to or from a lot or parcel of land, whether enclosing all or a part of said lot or parcel in all zoning districts.

Front yard means that portion of the front yard established between the sidewalk and ten feet behind the front most main building line. If a sidewalk does not exist, the front yard shall mean that portion of the front yard established between the end of the city right-of-way and ten feet behind the front most main building line.

Ornamental tops means wood, vinyl or metal decorative caps placed on the tops of fence posts, corners, ends or gateposts.

Property grade line, for determining the height of a fence or landscaping used in place of fencing, means the level of the ground or pavement adjacent to the fence or landscaping.

Rear yard means that portion of the yard between the rearmost corner of the main building line and the rear property line.

Side yard means that portion of the yard between the residential home and side property line, beginning at ten feet back from the front most main building line to the rearmost corner of the main building line.

(Code 1997, § 10-321; Ord. No. 748, § 1, 6-19-2000; Ord. No. 865, 9-21-2015; Ord. No. 885, 11-9-2020; Ord. No. 898, § 1, 8-15-2022)

Sec. 8-280. - Front yard fences.

Front yard fences shall have a minimum height of 24 inches and a maximum height of 30 inches from the property grade line. Front yard fences shall be placed a minimum of 18 inches from the sidewalk. If a sidewalk does not exist, front yard fences shall be placed a minimum of 18 inches from the edge of the established public right-of-way.

(Code 1997, § 10-327; Ord. No. 748, § 1, 6-19-2000; Ord. No. 865, 9-21-2015; Ord. No. 885, 11-9-2020)

Sec. 8-284. - Exceptions to this article.

(a) *Exceptions.* Notwithstanding anything to the contrary provided in this article, exceptions from the provisions of this article shall be made under the following circumstances:

- (1) *Rear fences.* Rear yard fences may be constructed to a maximum height of six feet from the property grade line with the adjacent property owners' consent. Consent from the adjacent property owners must be submitted to the building department in writing with the permit application. If a rear yard is directly parallel to a public street and not a residential lot, property owners are then the city, and consent from the city administrator is required.
- (2) *Side yard fences.* Side yard fences may be constructed to a maximum height of six feet from the property grade line with the adjacent property owners' consent. Consent from the adjacent property owners must be submitted to the building department in writing with the permit application. If a side yard is directly parallel to a public street and not a residential lot, property owners are then the city, and consent from the city administrator is required.
- (3) *Special circumstances.* Applications meeting the requirements of this article and subsections (a)(1), (2) or (3) above do not require a public hearing, and shall be approved by the building inspector if the application otherwise meets the requirements of this chapter. All other exceptions from the provisions of this article require a public hearing and approval from the city council. The council may consider any or all of the following, along with other information:
 - a. Balancing the relative hardships between the property owner and adjacent property owners;
 - b. Whether special circumstances or conditions exist;
 - c. Whether pedestrian or vehicular vision will be affected;
 - d. The general health, safety and welfare of the neighborhood.

(b) *Public hearing.* Any applicant seeking a hearing under the provisions of this article shall pay to the city a hearing notice fee set by council resolution for the scheduling of such hearing. Payment shall be made at the time the application is made for a hearing. The public hearing fee may be modified by a resolution of the city council as adopted from time to time. The city shall mail notice of the hearing to adjacent property owners at least seven days prior to the hearing date.

(Code 1997, § 10-331; Ord. No. 748, § 1, 6-19-2000; Ord. No. 865, 9-21-2015; Ord. No. 871, 12-19-2016; Ord. No. 879, 10-15-2018; Ord. No. 885, 11-9-2020; Ord. No. 898, § 3, 8-15-2022)

PUBLIC HEARING NOTICE FOR 1488 ROSLYN
ADJOINING PARCEL LIST

PARCEL NUMBER	PARCELL ADDRESS	OWNER	OWNER ADDRESS	CITY, STATE, ZIP
004 01 0059 000	1489 BRYN DR	REICH, PHILIP A	1489 BRYN DR	GROSSE POINTE WOODS, MI 48236
004 01 0058 000	1497 BRYN DR	KERRY, DONNA ZEWEKE	1497 BRYN DR	GROSSE POINTE WOODS, MI 48236
004 02 0225 000	1496 ROSLYN RD	CAMPBELL, AMY	1496 ROSLYN RD	GROSSE POINTE WOODS, MI 48236
004 02 0226 000	1488 ROSLYN RD	PALMER, ROBERT W	1488 ROSLYN RD	GROSSE POINTE WOODS, MI 48236



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The City of Grosse Pointe Woods, MI*

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