

RECEIVED

NOV 29 2021

CITY OF GROSSE PTE. WOODS  
BUILDING DEPT

Samuel J Randazzo

769 N Brys Drive

11/16/2021

To Whom It May Concern:

My permit to construct a 6' Foot Shadowbox style fence was denied by the building department. I was told I must ask for a variance to city codes:

8-284 (a-1)

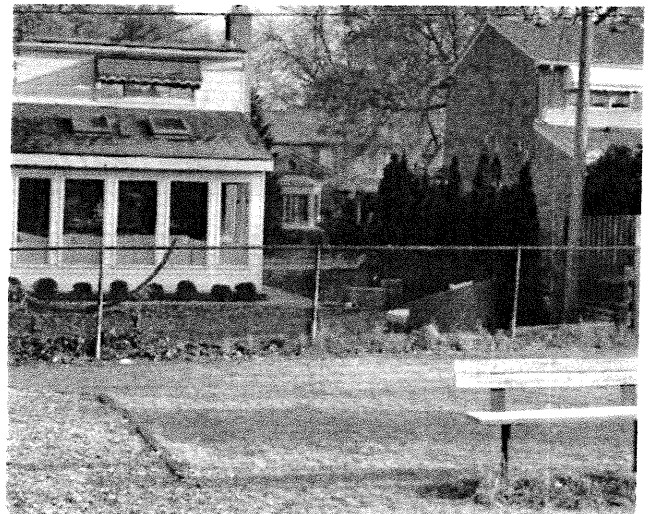
8-279 (5)

In regards to ordinance 8-284 (a-1)

*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.*

I am asking that city administration grant me approval to construct a 6' foot fence for the rear of my yard which backs up to Ferry Elementary School, directly behind the playground. **Both side adjacent neighbors have given me written permission for the 6' foot fence, and because Ferry is public property, the city acts as my third neighbor.** Even though the ordinance is not clear in its explanation, and it is not adjacent to a "public street" but public property, I was told that I would need city approval for this. I am asking for said variance, not only for added privacy from a busy public school/park as well as to avoid many instances of individuals throwing trash, used masks, food and wrappers, ect. Into my yard, which has been a problem with the existing 4' ft chain link. I also have a pet in the yard and am constantly pulling garbage out of its mouth after being outside, that is thrown over the fence, and am worried for its safety because of the possibly of ingesting these foreign objects. ***(My property is in closest proximity to the playground compared to other homes on the bordering Ferry, being less then 6ft from the existing chainlink, to the playground swings)***



In regards to ordinance 8-279 (5)

*Sec. 8-279. - General requirements and maintenance.*

*The following are general requirements for fences:*

*(5) No fence shall be erected adjacent to another fence.*

The existing chain link fence that is on Ferry property is dilapidated, rusted, and an overall eyesore. (Picture below) It is also in some areas a safety hazard, due to it falling apart. In an attempt to beautify my property, create a safe space for people and pets in my yard, cancel out unwanted noise from the playground, garbage being tossed into my yard, and added privacy for me and my family outside, I am asking that the city grant me a variance to allow me to erect a fence in front of the existing chain link.



Due to the fact that four of my neighbors who also back up to the playground also have identical fence set ups, (6'ft and doubled up with existing chain link) I am guessing my neighbors have applied for said variances and have been granted in the past.

The neighbors with identical fence set ups as are follows:

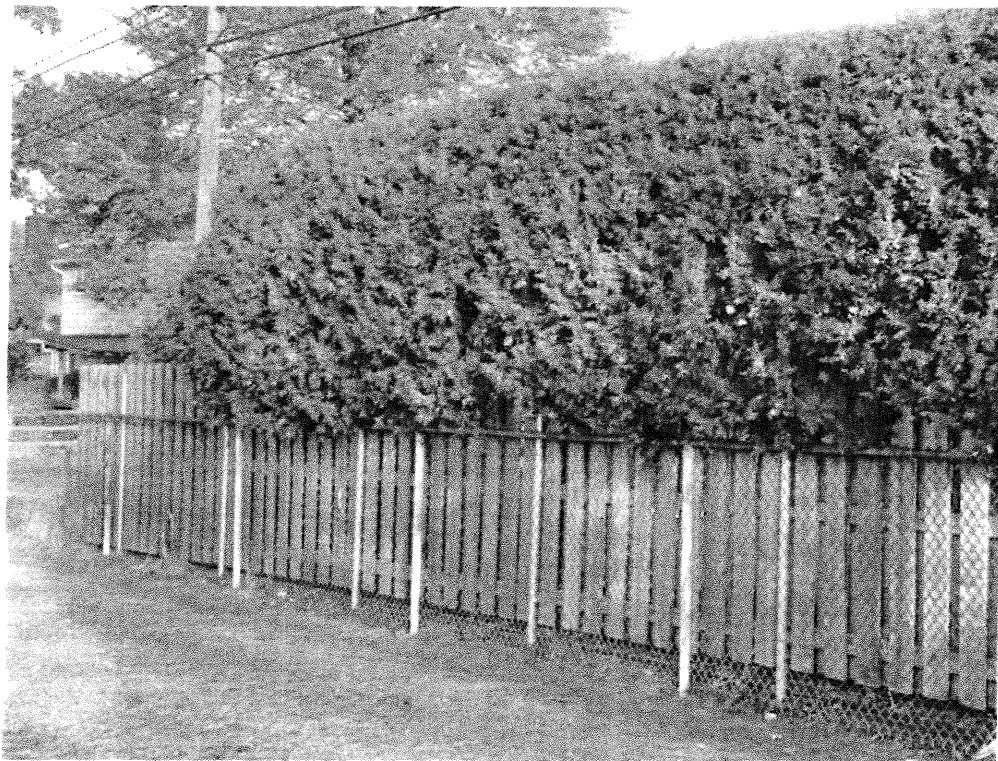
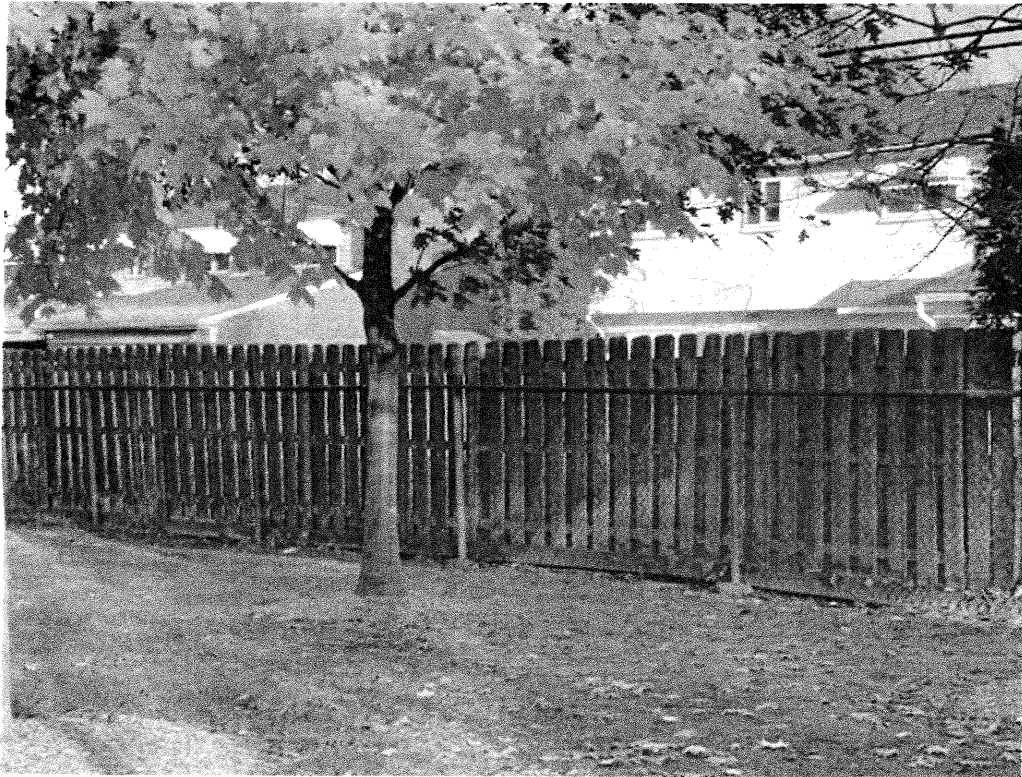
685 N Brys

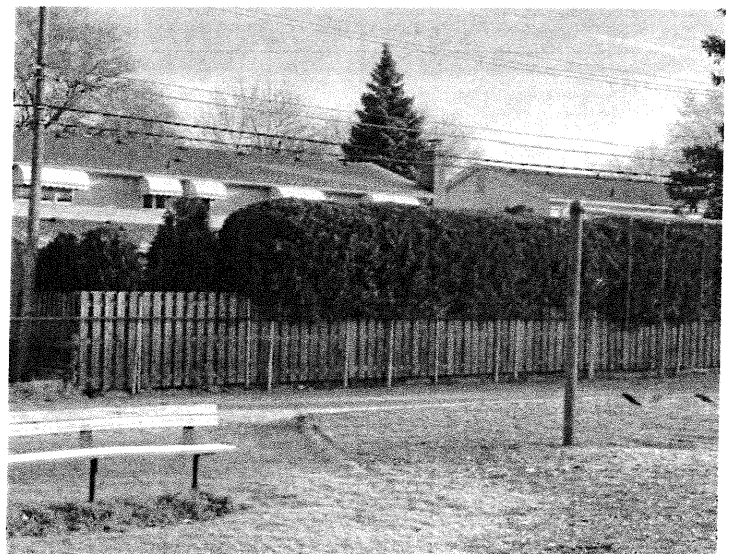
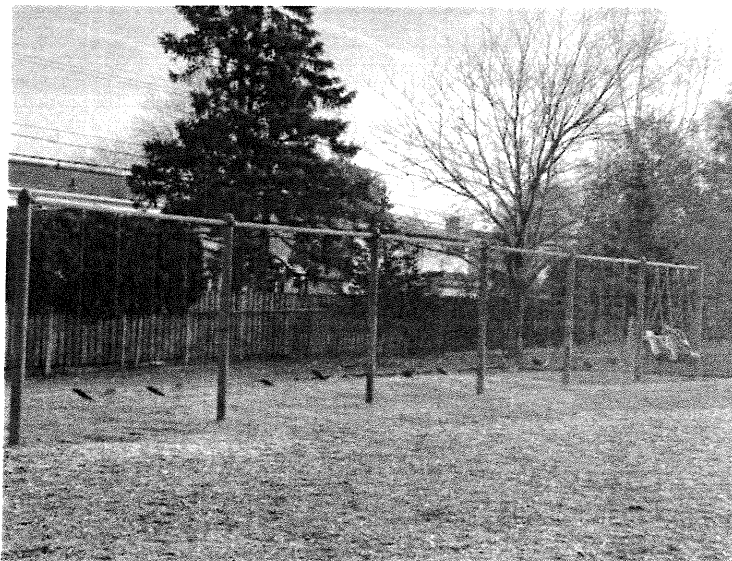
719 N Brys

735 N Brys

753 N Brys (adjacent neighbor)

I have included pictures of their fences which back up to the school, and are of the same construction and materials as the one I proposed. They also show both the double fence, as well they are 6' Ft tall.









**CITY OF GROSSE POINTE WOODS**

Building Department  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236  
313.343.2426 / building@gpwmi.us

**RECEIVED**

OCT 27 2021  
CITY OF GROSSE PTE. WOODS  
BUILDING DEPT

**Application For Fence (Zoning Compliance Permit)**  
**In Compliance With Article IX – Fences (Recent Ord Chg #879 eff 10/25/18)**

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

Fence Placement Address: 769 N. Brys Dr.  
Owner's Name: Samuel Randazzo Owner's Address: 769 N. Brys Dr.  
Owner's Phone #: 313-605-7205 Owner's e-mail: Sjrfruitveg@aol.com  
Contractor: Tom King (Kings Construction) Phone: 1-586-405-6644  
Address: 17025 25 mile Macumb MI 48042 e-mail: \_\_\_\_\_  
Height of Fence: 6 ft. (Neighbors APPROVE) Length of Fence: 176 ft  
Style of Fence: Shadowbox Pine (2 inch gap)  
Material of Fence: X Wood \_\_\_\_\_ Metal \_\_\_\_\_ Vinyl \_\_\_\_\_  
Location of Fence Back yard

Neighbor Sheet Attached

Neighbor Signature	Address	Date
Neighbor Signature	Address	Date
Neighbor Signature	Address	Date
<u>[Signature]</u>		<u>10/27</u>
Owner/Agent Signature		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.

3/27/15

8-284  
A-1

10-18-18

<b>Office Use Only</b>	
Approved _____	Denied <u>X</u>
<u>1' Fence on Fence</u> <u>EGAN</u>	
Building Inspector's Signature	Date
<u>2 no signature from</u> <u>School</u>	



Date: 10/27/2021

Design ID: 331951440092

Estimate ID: 43605

Estimated Price: \$3,245.93

\* Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

### How to purchase at the store

1. Present this packet to any Building Materials Team Member.
2. Use the Estimate ID to create an invoice or estimate.
3. Take the invoice with you and pay at any register at the end of your shopping experience.

### How to purchase at home

1. Add your fence to the cart and purchase.
2. Save your Design Packet for your records. The Design ID # can be used to recall the Fence Design.

### Design

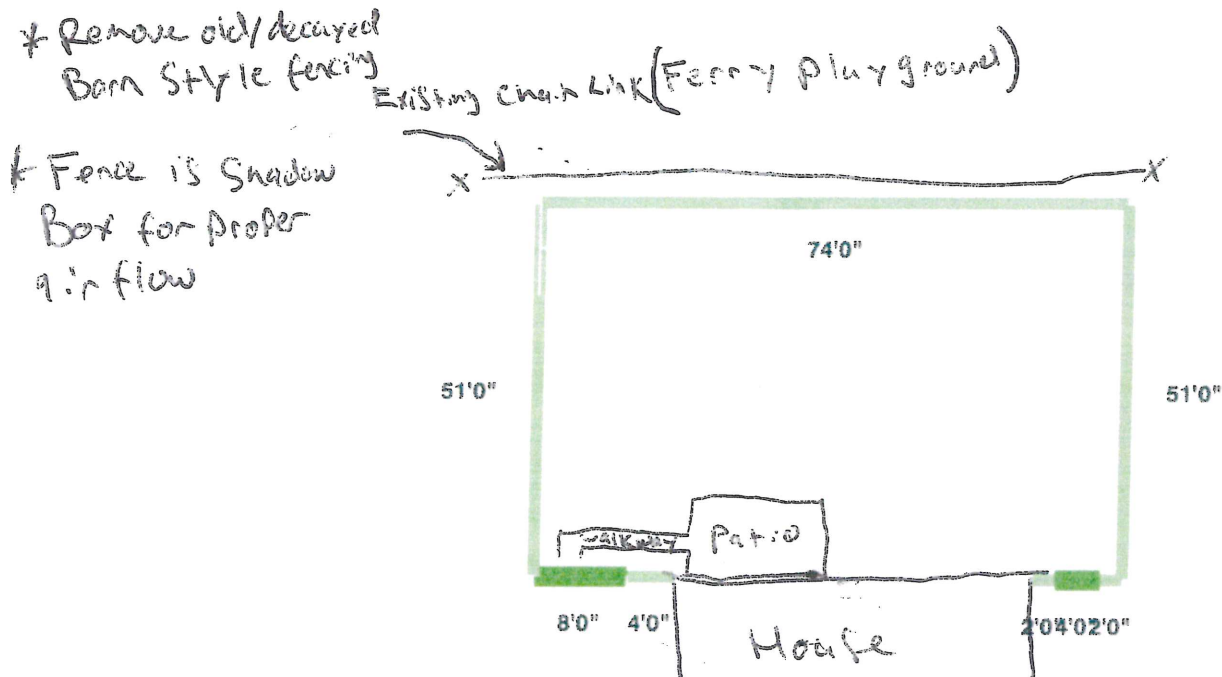


Illustration intended to show general fence size and shape. Some options may not be shown for picture clarity.

Layout dimension sheets are intended as a construction aid. Not all options selected are shown.

Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met.

This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest. Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF THE WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS.

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CITY OF GROSSE PTE. WOODS  
BUILDING DEPT

**Date:** 10/27/2021

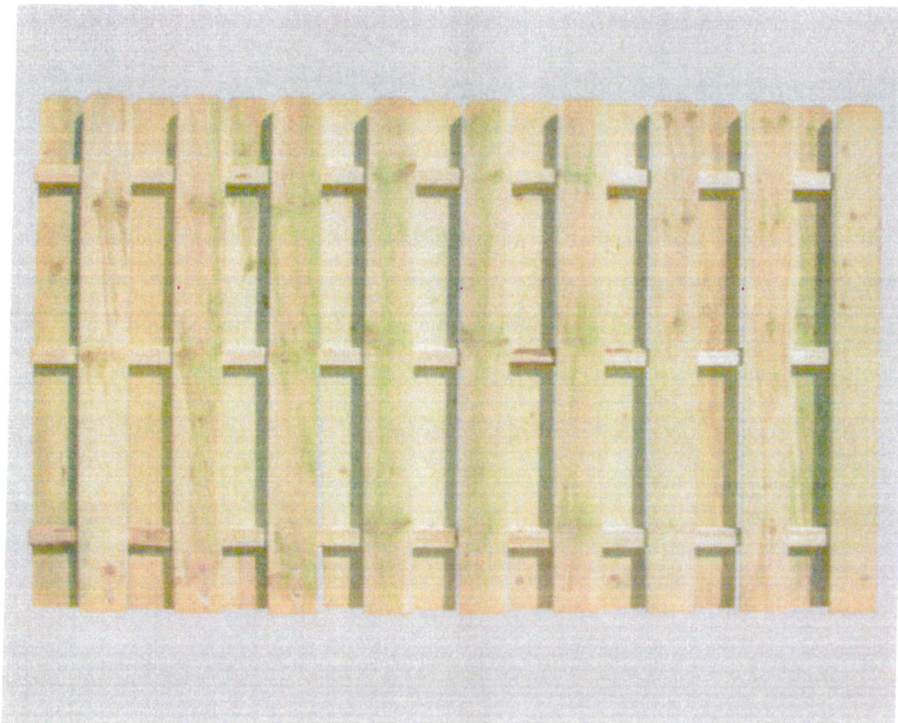
**Design ID:** 331951440092

**Estimate ID:** 43605

**Estimated Price:** \$3,245.93

\* Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

## Fence Image



## Materials

<b>Type:</b>	Wood Panels
<b>Fence:</b>	6 x 8 Shadow Box Pressure Treated
<b>Gate:</b>	Build A Gate (6' x 8')
<b>Gate:</b>	Build A Gate (6' x 4')
<b>Post:</b>	4 x 4 x 10' #2 Ground Contact AC2@ Timber
<b>Post Top:</b>	Cedar Base Copper Colored Post Cap
<b>Post Footing:</b>	Instant Post Concrete Mix - 50 lb (Bags of concrete per post: 1)
<b>Post Drainage:</b>	No Post Drainage
<b>Post Hardware:</b>	No Post Hardware
<b>Fastener:</b>	#9 x 3-1/2" Combo Drive Tan Premium Screw
<b>Cane Bolt:</b>	National Hardware® 1/2"x12" Black Cane Bolt

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BUILDING DEPT



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CITY OF GROSSE PTE. WOODS  
BUILDING DEPT

Neighbor Approval

10/20/21

DATE

769 N. Brys

JOB ADDRESS

I have seen or have had explained to me the proposal made by

San Ronda 220

NAME

at 769 N. Brys

ADDRESS

to erect a 6ft Wooden Shadowbox fence

DESCRIPTION

separating his/her property from mine and agree on the location of the lot line. I

understand that any existing fence may have to be removed in favor of the new fence.

Lindsay Gutierrez

PRINT NAME

787 N Brys Dr

ADDRESS

X

Lina Gutierrez

SIGN NAME

JUDITH BILL

PRINT NAME

753 N. Brys

ADDRESS

X

Judith A. Bill

SIGN NAME

PRINT NAME

ADDRESS

X

SIGN NAME

**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) *Solid fences.* Notwithstanding the general requirements found in subsection 8-279(1), solid fences are permitted under the following circumstances:

- a. For that portion of a fence that faces a street on a corner lot;
- b. When a fence faces an alley.

(4) *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)

Both  
neigh bars  
Approve  
Approval  
Sheet is  
Attached

RECEIVED  
OCT 27 2021  
CITY OF GROSSE POINTE WOODS  
BUILDING DEPT





## CITY OF GROSSE POINTE WOODS

20025 Mack Plaza Drive  
Grosse Pointe Woods, Michigan 48236-2397  
BUILDING DEPARTMENT  
Phone 313.343.2426

RECEIVED

OCT 27 2021

CITY OF GROSSE PTE. WOODS  
BUILDING DEPT

### Homeowner's Affidavit for Permit

(Driver's License or State I.D. Required)

I, (please print) Samuel J. Randazzo, hereby certify, under penalty of perjury, that if a permit is granted me, I will actually do all of the work, and/or will be involved in the installation, alteration or repair of:

Check all applicable:

ELECTRICAL

PLUMBING

HEATING

BUILDING

REFRIGERATION

I hereby certify the work described on this permit shall be installed by myself in my own home of which I am the bonafide homeowner (owner of single-family residence which is or will be, on completion for a minimum period of six months in own place of residence, and no part of which is used for rental or commercial purposes nor is contemplated for such purpose). All work will comply with provisions of all applicable codes and shall not be enclosed, covered up, or put into operation until it has been inspected and approved by the Grosse Pointe Woods Building Department. I will cooperate with the City Inspectors and assume the responsibility to arrange for all necessary inspections.

Relative to the following described property owned and resided by myself at:

ADDRESS: 769 N. Briggs Dr. PHONE: 313-605-7205  
Grosse Pointe Woods, MI 48236

SIGNATURE: [Signature]

DATE: 10/27/21

NOTE: Michigan state code, Section 23a of the state construction code act of 1972, 1972 PA 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 subjected to civil fines.

MEMO 21-62

TO: Lisa Hathaway, City Clerk

FROM: Frank Schulte, Director of Public Services

FS.

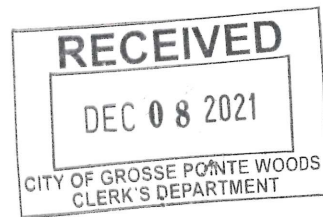
DATE: December 6, 2021

SUBJECT: Variance - Fence at 769 N. Brys, GPW, MI 48236

I have reviewed the application from resident Samuel Randazzo requesting a fence variance at 769.N Brys. The fence variance will have no impact on the Department of Public Works or utilities.

Please contact me if you have any questions.

cc Gene Tutag  
O/F

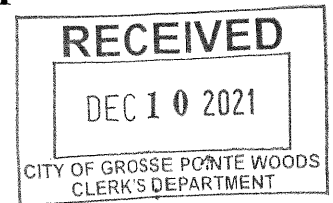




**CITY OF GROSSE POINTE WOODS**  
**BUILDING DEPARTMENT MEMORANDUM**

**DATE:** December 7, 2021  
**TO:** Mayor and City Council  
**FROM:** Gene Tutag, Building Official  
**SUBJECT:** 769 N. Brys, Fence Variance

61



The attached application to install a 6-foot, shadowbox fence at 769 N. Brys Dr. was denied for it does not comply with city code. The applicant is appealing the denial and requesting a variance to sections 8-279(5) and 8-284(a-1) of the city code. The submitted application does not contain the consent of the adjoining property owner to the south, and the installation will result in a fence on a fence situation along the south lot line.

The specific sections that apply are as follows:

**Section 8-279 (5)** “No fence shall be erected adjacent to another fence.”

**Section 8-284 (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.”

As stated on the application, the proposed fence is 6-feet in height and approximately 176-feet in length, to be installed in the rear yard. Neighbors located at 787 N. Brys and 753 N. Brys have given their approval of 769 N. Brys' proposed fence as shown on the submitted application and as required by city code. No approval has been received from the property at 748 Roslyn, which is Ferry Elementary School.

As stated in the applicant's letter of appeal, the applicant would like a 6-foot fence due to the lack of privacy provided to his property as it abuts a busy, public street/property. The applicant also believes this will reduce the amount of trash blowing onto his property, which is a concern as a pet is usually in the yard.

This exception to the fence code requires a public hearing and approval from the City Council. The City Council may consider any or all of the following, along with other information when deciding a variance:

- (a) Balancing the relative hardships between the property owner and adjacent property owners.
- (b) Whether special circumstances or conditions exist.
- (c) Whether pedestrian or vehicle traffic will be affected.
- (d) The general health, safety and welfare of the neighborhood.

The department is reluctant to recommend approval of a variance of Section 8-284(a-1) without the applicant reaching out to the Grosse Pointe Schools. Approvals have been obtained from the Grosse Pointe Schools in situations similar to this in the past.

It is recommended that a variance of Section 8-279(5) be granted for the following reasons:

- 1. New play equipment is located directly south of the applicant's rear yard.
- 2. Variances have been granted to property owners on N. Brys abutting the Ferry Elementary playground.
- 3. Granting of the variance will not affect the health, safety or welfare of the neighborhood.
- 4. Granting of the variance will not affect pedestrian or vehicular traffic.
- 5. Special circumstances and conditions have been found to exist.

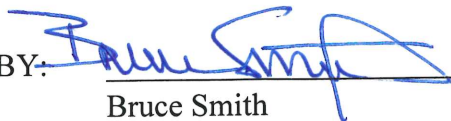
Two conditions of the approval are as follows

- 1. Work to be started and completed within 6 months.
- 2. A minimum of a 6-inch gap be maintained between the finished grade and the bottom of the fence to facilitate the trimming of vegetation between the two fences.
- 3. Obtain consent from Grosse Pointe Schools.

ATTACHMENTS:

- Building official inspection photos (3 pages) 12/8/2021
- Denied fence application (7 pages) 10/27/2021
- Letter of Appeal from Applicant (4 pages) 11/29/2021
- Emails from petitioner (4 pages) 11/12/2021 thru 11/16/2021
- 735 N. Brys Fence Application and Variance Approval Documents (10 pages) 9/18/2003

APPROVED BY:

  
Bruce Smith  
City Administrator

DATE:

12/10/2021















**From:** Samuel Randazzo  
**To:** Building Department  
**Subject:** 769 N Brys Fence Permit Denial  
**Date:** Friday, November 12, 2021 11:29:31 AM

---

CAUTION: This email originated from outside of the organization. DO NOT click links, open attachments or reply to this message unless you recognize the sender and know the content is safe:

To whom it may concern,

I was informed this morning that my fence permit for 769 N Brys was denied because there was “two fences” and “the school didn’t sign off.” As the school is public property per your amendments the city should act as the “third neighbor” which was why I figured I didn’t need anyone from the school, (also I have no idea as to whom at the school has jurisdiction over the grounds)

Also let’s add in the fact that the fence is up to your codes, with airflow and spacing. If someone took the time to look at other houses on the street backing up to Ferry, they have IDENTICAL fences, and set ups to the one I submitted.

The conclusion I have made here is there is still a bad taste in your mouths over my parents fencing issues at 20155 Morningside, and you decided “let’s stick it to him” and denied mine just for kicks.

I suggest that we reevaluate this situation, and you guys do your homework as it pertains to other homes on the street. This is a very easy issue to resolve.

If not, I’ll simply file a discrimination suit against the city and the inspector. Because this is about as open and closed as it gets. So let’s work this out to avoid another multi-year long legal battle that I am more than willing to fight. And I’ll make sure the incredible waste of city resources gets more attention this time.

Warmest Regards,

Samuel Randazzo  
Joe Randazzo’s Fruit and Vegetable Inc.  
Marketing Director  
Associate Buyer

c: 313-409-7130  
p: 313-605-7205  
o: 313-892-0091  
p: randazzosam21@gmail.com  
w: sjrfruitveg@aol.com



**From:** Josephine Modrack  
**To:** [sjrfruitveg@aol.com](mailto:sjrfruitveg@aol.com)  
**Cc:** Marquerite Kelpin; Josephine Modrack; Gene Tutag  
**Subject:** RE: 769 N Brys Fence Permit Denial  
**Date:** Tuesday, November 16, 2021 3:03:40 PM

---

Hi Samuel,

That is correct, it has to go through Mayor and City Council. The Building Department is to enforce the ordinances adopted by the City, there are certain things such as this that must go through Council for approval.

Regarding the addresses listed, I will make note of that to see if they have followed up and received complete approval and that they comply fully with the City's requirements.

By no means is this fun, and I would never wish to make the permitting process harder on the applicant nor myself. I empathize with your frustration on this matter and I am available to assist with the variance process if need be.

Josie Modrack  
Confidential Administrative Assistant  
Building Department  
City of Grosse Pointe Woods  
20025 Mack Avenue  
Grosse Pointe Woods, MI 48236  
Phone (313) 343-2426 Ext. 230

-----Original Message-----

From: Sam Randazzo <[sjrfruitveg@aol.com](mailto:sjrfruitveg@aol.com)>  
Sent: Tuesday, November 16, 2021 1:55 PM  
To: Gene Tutag <[GTutag@gpwmi.us](mailto:GTutag@gpwmi.us)>  
Subject: Re: 769 N Brys Fence Permit Denial

CAUTION: This email originated from outside of the organization. DO NOT click links, open attachments or reply to this message unless you recognize the sender and know the content is safe:

Josie,

If you read Sec. 8-284 (a1) it clearly states -

“Rear Yard fences may be constructed to a max height of six feet” with consent of neighbors.

So you (the building department) do not work as city administrators? It has to be the city council?

Also I am curious as to how my neighbors got approval without having to attend city council meetings. 3 of the 4 neighbors with said fences informed me that their application when they had fences installed were approved without a city council meeting. Again I sense making me jump through hoops for fun rather than making this process easy. But hoops I'll jump through.

Thanks!

Samuel Randazzo  
Joe Randazzo's Fruit and Vegetable Inc.  
Marketing Director  
Associate Buyer

c: 313-409-7130  
p: 313-605-7205  
o: 313-892-0091  
p: randazzosam21@gmail.com  
w: sjrfruitveg@aol.com

> On Nov 16, 2021, at 9:40 AM, Gene Tutag <GTutag@gpwmi.us> wrote:

>

> Good Morning,

>

> Thank you for both of your emails. Your application as submitted has been denied for not being in compliance with Sections 8-279 (5) and 8-284 (a-1) of the City Code, please find the attached ordinance. We do not have administrative authority to approve plans or applications that are outside compliance of City Code.

>

> Per our ordinance, the Mayor and Council would be required for approval of the submitted fence application. To go forward with this variance and appeal process, you will want to get in touch with the City's Clerk Department, and speak with City Clerk, Lisa Hathaway at lhathaway@gpwmi.us or call 313-343-2440.

>

> Please feel free to contact our office via phone or email if you have questions or concerns.

>

> Thank you,

>

> Josie Modrack on behalf of Gene Tutag

> Confidential Administrative Assistant

> Building Department

> City of Grosse Pointe Woods

> 20025 Mack Avenue

> Grosse Pointe Woods, MI 48236

> Phone (313) 343-2426 Ext. 230

>

>

> -----Original Message-----

> From: Samuel Randazzo <randazzosam21@me.com>

> Sent: Tuesday, November 16, 2021 8:49 AM

> To: Building Department <Building@gpwmi.us>

> Subject: Re: 769 N Brys Fence Permit Denial

>

> CAUTION: This email originated from outside of the organization. DO NOT click links, open attachments or reply to this message unless you recognize the sender and know the content is safe:

>

> To whom it may concern:

>

> Let me start by saying very much appreciate your inability to respond to this matter! Especially when I was told after contacting your office Friday someone would contact me Monday in regards to my issues.

>

> I've went out of my way this morning to make this even easier to resolve:

>

> Attached are photos of my neighbors yards which back up to Ferry. All fences are identical in style and construction to the one I submitted. All are 6 feet, all are technically "double fenced" even though the chain link that is most likely city responsibility is dilapidated and probably a safety hazard to the kids on the playground (I attached photos of this as well, might want to get around to fixing it before someone gets hurt.)

>

> Photos included are of my neighbors fences, and yards backing up to Ferry. I even put their addresses so it would be very easy for you to fact check. One of which is directly to the right of my home. As pictured below.

>

> 685 N Brys

> 719 N Brys



> 735 N Brys

> 753 N Brys

>

> Property of the City of Grosse Pointe Woods. If you have received this transmission in error, please delete immediately.

> <20211116\_142753\_200708\_ARTICLE\_IX.\_\_\_\_FENCES.docx>



# City of Grosse Pointe Woods

Building Department

20025 Mack Plaza

Grosse Pointe Woods, MI 48236

Phone:(313) 343-2426

Fax: (313) 343-2439

## 735 BRYS N

Parcel Number: 006 11 0180 000

GROSSE POINTE W 48236

Issued: 09/18/03

Const value 3,000.00

Zoning:

**PLEASE CALL (313) 343-2426**

**FOR AN INSPECTION 24 HOURS IN ADVANCE**

## Building

## Permit No: PB030580

LOEFFLER, GUY & MICHELE

735 N BRYS

GROSSE PTE WOO MI 48236

313 886 3083

### Contractor

PARKS FENCE

22000 DEQUINDRE

WARREN

PH# 586 755 1556  
MI 48091

**Work Description:** Installation of Shadowbox Fence around entire perimeter of rear yard - 6' x 214' - (NOTE: Fence at rear lot line adjacent to Ferry School to be placed next to city's existing cyclone fence) as approved by City Council on 9-8-03.

**Stipulations:** 42" post hole inspection is required prior to setting posts

Paid	Permit Item	Work Type	Fee Basis	Item Total
At Issue	Fence Residential	Fence	1.00	\$20.00

PAID

SEP 18 2003

CITY OF G.P WOODS

*L. Smith*

Building Official

Fee Total: \$20.00  
Amount Paid: \$20.00

Balance Due: \$0.00

I agree this permit is only for the work described, and does not grant permission for additional or related work which requires separate permits. I understand that this permit will expire, and become null and void if work is not started within 180 days, or if work is suspended or abandoned for a period of 180 days. Required inspections shall be requested in conformance with the applicable code. I hereby certify that the proposed work is authorized by the owner, and that I am authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of the State of Michigan and the local jurisdiction. All information on the permit application is accurate to the best of my knowledge.

Payment of permit fee constitutes acceptance of the above terms.

*Synda Adams*



**CITY OF GROSSE POINTE WOODS**

Building Department

20025 Mack Plaza

Grosse Pointe Woods, MI 48236

(313) 343-2426

RT1  
PB030580  
variance date  
9-8-03  
**RECEIVED**

AUG 05 2003

CITY OF GROSSE PTE. WOODS

**Application For Fence Permit**

Need mortgage survey/site plan with highlighted area where fence is to be placed. Need brochure/picture of proposed fence to be installed.

Owner Guy Loeffler Phone No. 886-3083

Address 735 N. Brys

Contractor Parks Fence Phone No. 586-755-1556

Address 22000 Deguindre - Warren 48091

Height of Fence 6' (72") Length of Fence 214'

Style of Fence SHADOW BOX

Material: ☒ Wood ☐ Metal ☐ Vinyl

Location of Fence \_\_\_\_\_

Neighbor's Signature [Signature] Address 753 N. BRY

Neighbor's Signature [Signature] Address 719 N. BRY

Neighbor's Signature \_\_\_\_\_ Address \_\_\_\_\_

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 the Ordinance #748. 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.

[Signature]  
Signature of Owner or Agent \_\_\_\_\_ Date \_\_\_\_\_

For Office Use	
Approved _____	Denied _____
Building Inspector's Signature _____	Date _____

variance appl.  
2-18-03

Reson denied  
\*No Signature  
10-30-06 (3) #  
10-331 (1)

TO: **The Grosse Pointe Woods City Council** FROM: **Guy Loeffler**

**The Loeffler Family**

**MEMO**

DATE: **8/18/03**

COPIES:

SUBJECT: **Request for Variance on Fence Permit**

The Loeffler family's backyard, located at 735 N. Brys in Grosse Pointe Woods, Michigan, borders the playground of the Ferry Elementary School. They seek approval, from the City Council, to install a 6' privacy fence, next to the city's existing chain link fence, for the following reasons:

- The family pet is a German Shepard named Belle (GPW License #146, GP Animal Clinic #22189). German Shepards require a six foot fence for containment.

"Shepards are athletic, working dogs, and will make easy work of a short or rickety fence. Your yard should be fully fenced to at least 6 feet." \*

The existing fence is only 4'  $\frac{3}{4}$ " – 5' high. Height varies along the fence line. (Please view Photo)

- Children are able to put their hands, as well as sticks and other sharp objects, through the existing chain link fence. The existing fence encourages public contact with the family pet by both children and adults visiting the playground. (Please view photo)
- The fence line is within 25' of the swings located on the playground and it borders the area around the City's soccer fields. The playground and soccer fields are in operation from 7:30am to 10pm, seven days a week. Both children and adults, participating in playground activities, interact with the Loeffler's family pet. The Loeffler family is forced to police individuals, interacting with Belle, on a daily basis. (Please view photo)

The new privacy fence is needed to prevent injury to the general public, as well as the family pet, and reduce the exposure to liability to all parties involved.

\* "Living With a German Shepard Dog." By Ring Press Books. Author Angela Ibbotson. Pg. 15-16



THE MEETING WAS THEREUPON OPENED AT 8:57 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF **GUY AND MICHELE LOEFFLER, 735 N. BRYs**, GROSSE POINTE WOODS, FOR PERMISSION TO ERECT A 6' WOODEN SHADOWBOX **PRIVACY FENCE** ALONG THE EASTERN AND SOUTHERN LOT LINES OF THE PROPERTY AT 735 N. BRYs, IN ACCORDANCE WITH CHAPTER 10 OF THE CITY CODE.

Motion by Dansbury, seconded by Chylinski, that for purposes of the public hearing the following items be received and placed on file:

1. Memo 08/29/03 - Building Inspector
2. Memo 08/18/03 – The Loeffler Family
3. Mortgage Survey 07/25/03
4. Application for Fence Permit 08/05/03
5. Photos
6. Affidavit of Property Owners Notified
7. Notice of Hearing
8. Aerial 08/29/03

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner

No: None

Absent: None

The Chair asked if anyone from the audience wished to speak IN FAVOR of the proposed request. The following individuals were heard:

Guy and Michele Loeffler  
735 N. Brys

Sharon VanDenBrouck  
1691 Manchester

Motion by Dansbury, seconded by Chylinski, that the following documents be received and placed on file:

1. Letter 09/08/03 – C. Fenton, Grosse Pointe School District;  
Letter 09/08/03 – L. Herzog, DVM

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner

No: None

Absent: None

The Chair asked if anyone from the audience wished to speak IN OPPOSITION to the proposed request. No one wished to be heard.

Motion by Dansbury, seconded by Granger, that the public hearing BE CLOSED at 8:03 p.m. PASSED UNANIMOUSLY.

Motion by Granger, seconded by Dansbury, regarding the public hearing: FENCE VARIANCE – Guy and Michele Loeffler, 735 N. Brys, that the City Council GRANT a variance to install a 6' wooden shadowbox privacy fence with fence-on-fence installation in accordance with Application for Fence Permit dated August 5, 2003, due to the particular circumstances of having a pet in the yard.

Motion carried by the following vote:

Yes:	Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner
No:	None
Absent:	None

**CITY OF GROSSE POINTE WOODS**

**BUILDING DEPARTMENT**

**MEMORANDUM**

TO: City Clerk's Office

FROM: Gene Tutag, Building Inspector *GT.*

DATE: August 29, 2003

SUBJECT: Fence Variance 735 N. Brys

The attached application to install a 6-foot wooden fence at 735 N. Brys as indicated on the attached survey was denied. The plans were denied because the proposed fence did not comply with Chapter 10 of the city code as follows:

1. Section 10-326 3. does not permit a fence to be erected adjacent to another fence. The petitioner is proposing to install the 6-foot fence adjacent to an existing chain link fence that is around the perimeter of Ferry School.
2. Section 10-331(1). Requires the signature of adjacent property owners for the installation of a 6-foot fence. The application does not contain a signature from the Grosse Pointe School District. The School is the adjacent property owner to the south of the fence.

The Loeffers property borders the Ferry School playground. The Loeffler family has indicated that the 6-foot fence is necessary to protect the general public from a family pet, and the family pet from the public.

The proposed fence violates the code as referenced above. The department is opposed to any fence on fence condition. The area between the fences or the fence itself cannot be maintained.

It is not known why the School did not sign the application.

A solution to the Loeffers dilemma may be to install an invisible type of dog fence 6 to 8 feet north of the existing fence. This would prevent interaction between children, adults and the dog.

Denial of the requested variances is recommended.



2000

CITY OF GROSSE POINTE WOODS

Building Department  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236  
(313) 343-2426

RECEIVED

AUG 05 2003

CITY OF GROSSE POINTE WOODS

Application For Fence Permit

Need mortgage survey/site plan with highlighted area where fence is to be placed. Need brochure/picture of proposed fence to be installed.

Owner Guy Loeffler Phone No. 886-3083  
Address 735 N. Brys  
Contractor Parks Fence Phone No. 586-755-1556  
Address 22000 Deguindre - Warren 48091  
Height of Fence 6' (72") Length of Fence 214'  
Style of Fence SHADOW BOX  
Material: ☒ Wood ☐ Metal ☐ Vinyl  
Location of Fence \_\_\_\_\_

Neighbor's Signature [Signature] Address 753 N. BRYE  
Neighbor's Signature [Signature] Address 719 N. BRYE  
Neighbor's Signature \_\_\_\_\_ Address \_\_\_\_\_

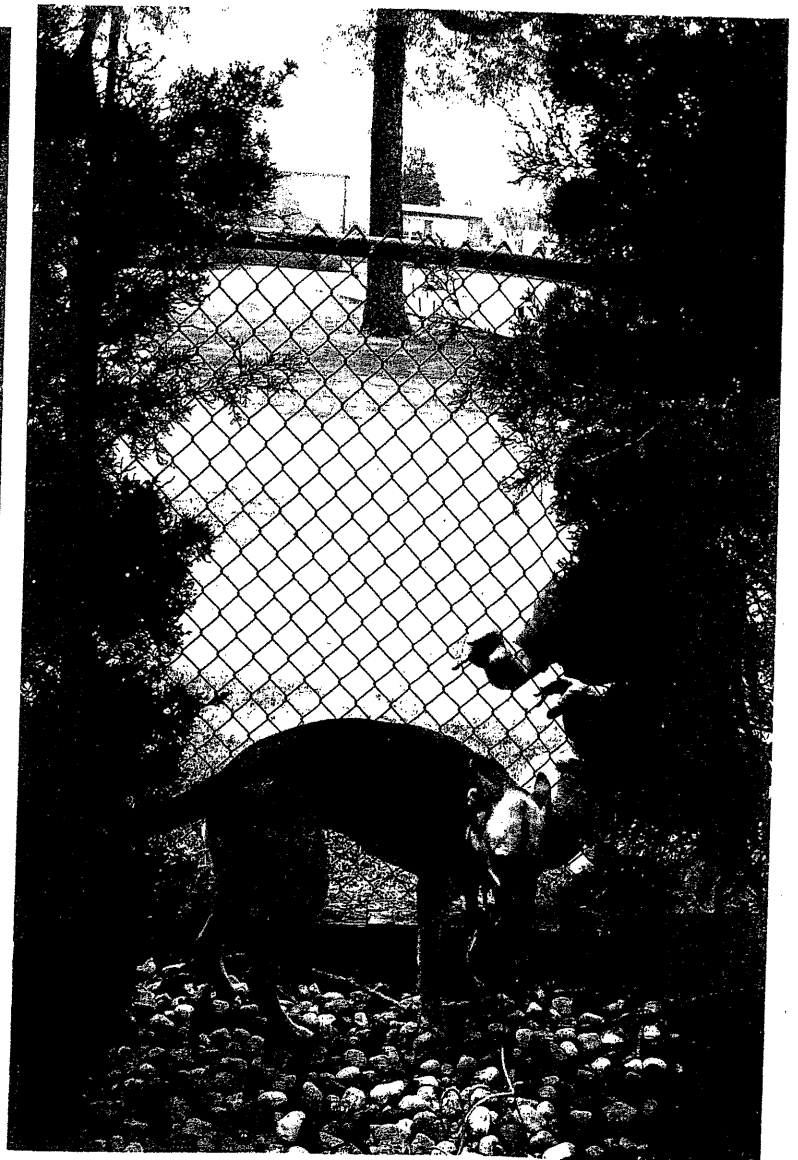
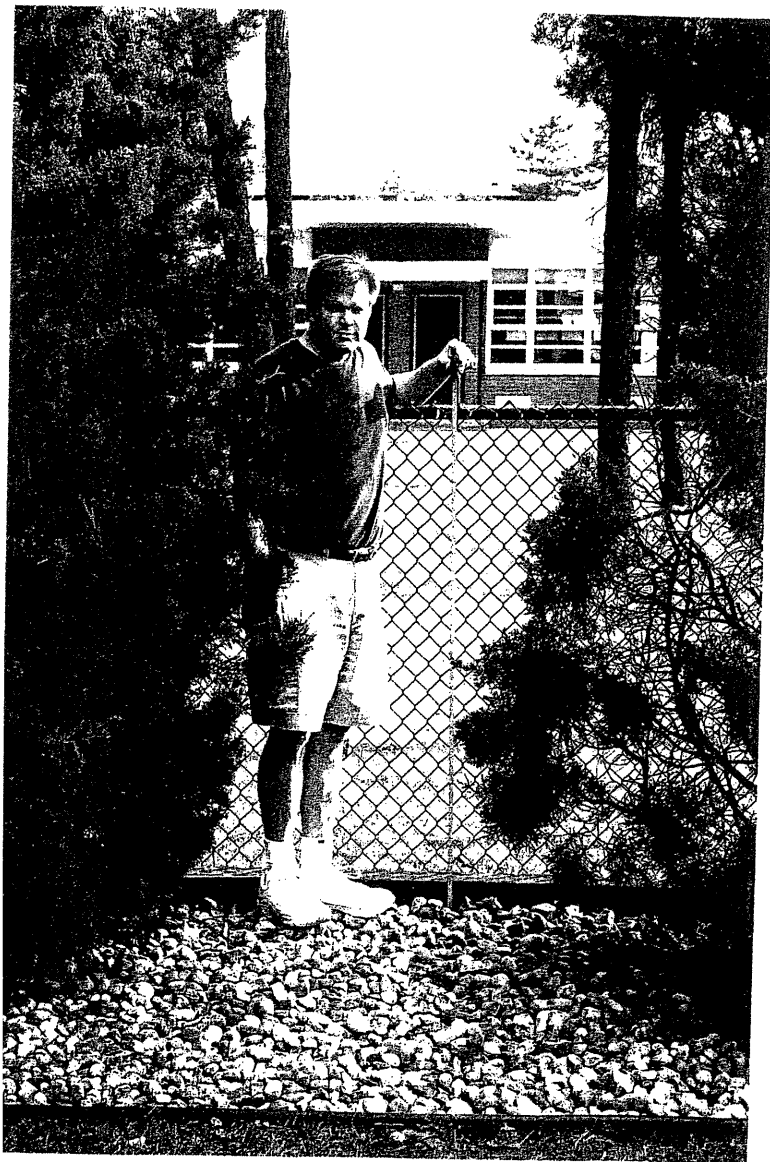
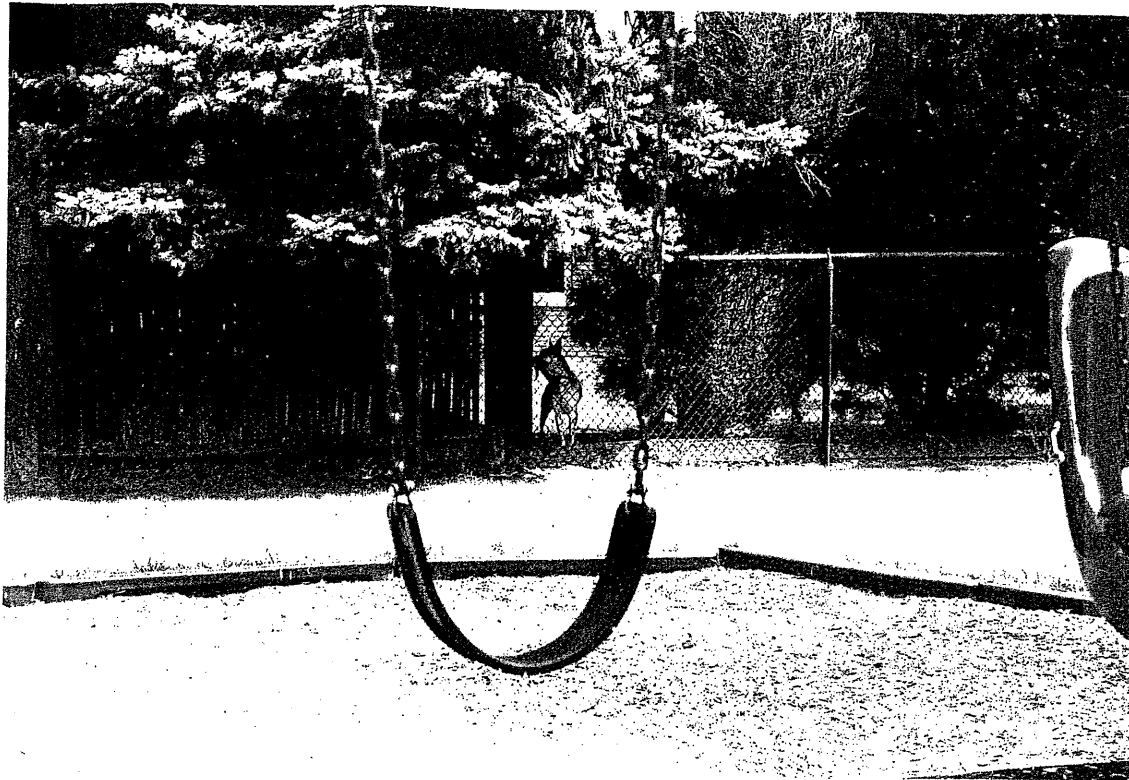
By affixing my signature hereto, I certify that I am the owner or acting as the owner's agent, and I understand the regulations pertaining to the erection of a fence as described in the Ordinance #748. The City of Grosse Pointe Woods does not guarantee the accuracy of the property lines as described herein, the accurate location of all property lines is the responsibility of the owner or owner agent.

[Signature]  
Signature of Owner or Agent

\_\_\_\_\_  
Date

For Office Use	
Approved _____	Denied _____
Building Inspector's Signature _____	Date _____

Per denied  
\*No Signature & Fence on Permit  
10-306 (3) # 10-331 (1)



## **AFFIDAVIT OF PROPERTY OWNERS NOTIFIED**

**Re: Guy & Michele Loeffler  
735 Brys North**

State of Michigan       )  
                                  )  
County of Wayne       )       ss.

I HEREBY CERTIFY that the Notice of Hearing was duly mailed First Class Mail on Friday, August 29, 2003, to the following property owners abutting and opposite the subject property in accordance with the provisions of the 1997 City Code of Grosse Pointe Woods. A hearing fee of \$75.00 has been received and acknowledged with receipt # 7521.

Louise S. Warnke, City Clerk

### **Property Owners**

### **Owner Address**

THOMAS M CAMPAU	848 COLLIER CT #105
MAUREEN HAAS	736 BRYN N
HOWARD E KOHLER	720 N BRYN
PETER BILL JUDY BILL	753 BRYN N
GUY LOEFFLER MICHELE LOEFFLER	735 N BRYN
G P PUBLIC SCHOOL SYSTEM FERRY SCHOOL	389 ST CLAIR
JAMES WISHART S WISHART	719 BRYN N



# CITY OF GROSSE POINTE WOODS, MICHIGAN



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INFORMATION TECHNOLOGY DEPARTMENT  
Geographic Information Systems (GIS) Division

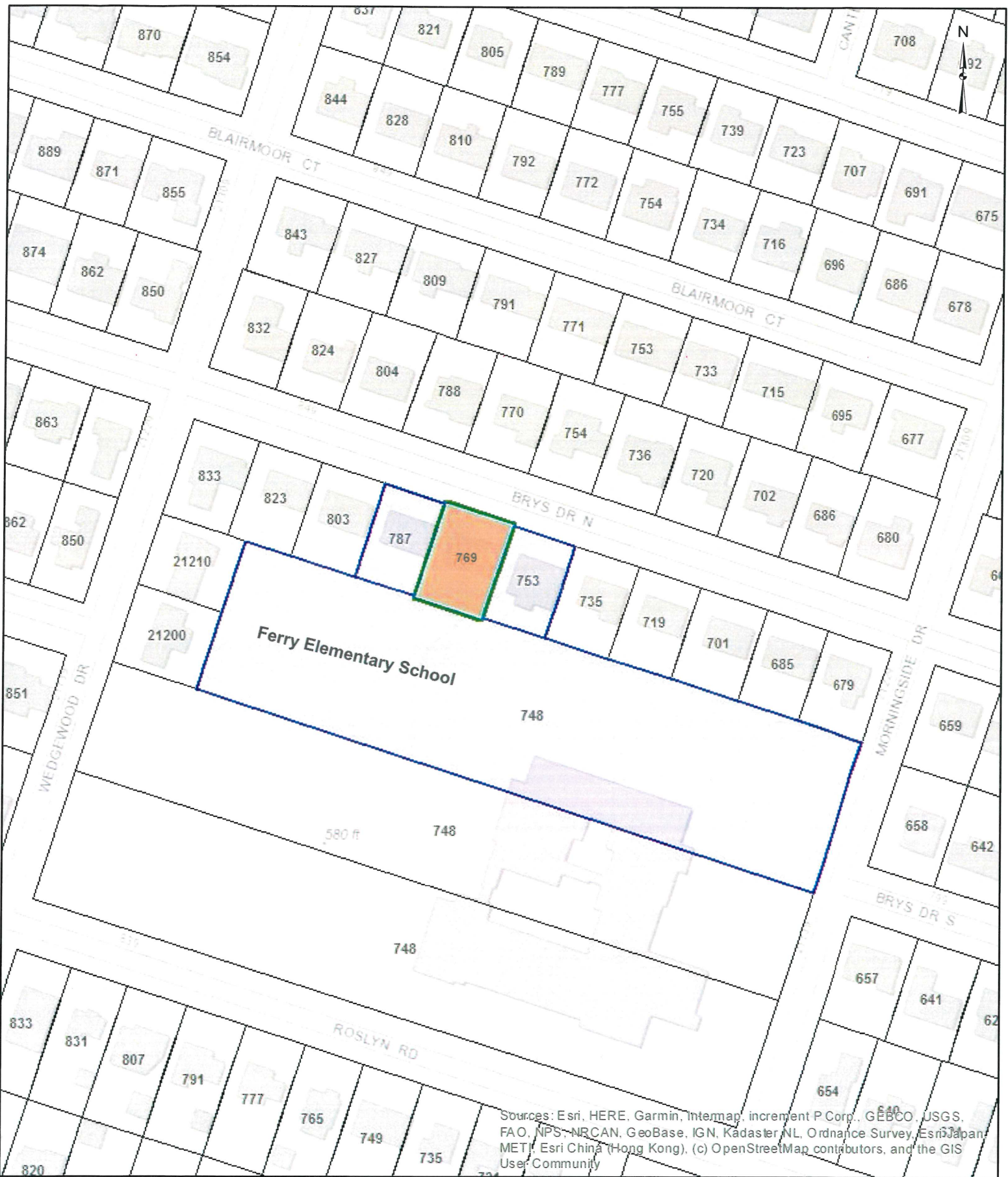
Subject: 735 N Brys

Date: 8/29/03



**NOTICE IS HEREBY GIVEN** that in accordance with Chapter 10, Buildings and Building Regulations, Article IX, Fences, Section 10-321, of the 1997 City Code of the City of Grosse Pointe Woods, the City Council will hold a public hearing in the Council-Court Room of the Municipal Building, 20025 Mack Plaza, on Monday, June 3, 2002, at 7:30 p.m. to hear the request of Peter Vitale Jr., 592 Saddle Lane, who seeks authority for a variance on a 6' Privacy Fence along the East side of the house and Northeast side of backyard of the subject property. The fence application will require a variance from the City Code. The fence application materials are open for public scrutiny in the City Clerk's office at the Municipal Building. All interested parties are invited to attend.

Louise S. Warnke  
City Clerk



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Subject: 769 Brys Dr.

Date: 12/13/21





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Subject: 769 N. Brys Dr.

Date: 12/13/21



## AFFIDAVIT OF PROPERTY OWNERS NOTIFIED

Re: 769 N. Brys Dr.  
Samuel Randazzo

**State of Michigan )**  
**County of Wayne ) ss.**

**I HEREBY CERTIFY that the notice of Hearing was duly mailed First Class Mail on 12/13/21 to the following property owners within a 3 foot radius of the above property in accordance with the provisions of the 2017 City Code of Grosse Pointe Woods. A Hearing fee of \$75.00 has been received with receipt # 445268.**

**Lisa Kay Hathaway, MiPMC-3/MMC  
City Clerk**

**See attached document for complete list.**

## City of Grosse Pointe Woods, Michigan

**NOTICE IS HEREBY GIVEN** that in accordance with Chapter 8, Buildings and Building Regulations, Article IX, Fences of the 2017 City Code of the City of Grosse Pointe Woods, Sections 8-284(a) Exceptions and 8-284(b) Public Hearing, the City Council will hold a public hearing in the Council-Court Room of the Robert E. Novitke Municipal Center, 20025 Mack Plaza, on Monday, December 20, 2021, at 7:00 p.m. to hear the request of Samuel Randazzo, 769 N. Brys Dr., Grosse Pointe Woods, MI, who is requesting to install a 6' wooden shadowbox privacy fence along the rear and side yard property lot lines. The fence application will require variances in accordance with Section 8-279(5) *No fence shall be erected adjacent to another fence*, and Section 8-284a(1) *Consent from the adjacent property owners must be submitted to the building department in writing with the permit application*. The fence application materials are open for public scrutiny. All interested parties are invited to attend.

Lisa Kay Hathaway, MiPMC-3/MMC  
City Clerk

769 N. Brys Dr. - 3' Radius

Parcel ID	Owner Name1	Owner Name2	Owner Address	Owner City/State/Zip	Property Address
006 11 0183 000	GUTIERREZ, EDWARD - LINDSAY	EDWARD & LINDSAY GUTIERREZ	787 N BRYs DR	GROSSE POINTE WOODS, MI 48236	787 N BRYs DR
006 11 0182 000	RANDAZZO, SAMUEL JOSEPH	SAMUEL RANDAZZO	769 N BRYs DR	GROSSE POINTE WOODS, MI 48236	769 N BRYs DR
006 11 0181 000	BILL PETER	PETER BILL	753 N BRYs DR	GROSSE POINTE WOODS, MI 48236	753 N BRYs DR
006 99 0001 000	GROSSE POINTE PUBLIC SCHOOL SYSTEM	GROSSE POINTE PUBLIC SCHOOL SYSTEM	389 SAINT CLAIR ST	GROSSE POINTE, MI 48230-1501	748 ROSLYN RD
		GROSSE POINTE PUBLIC SCHOOL SYSTEM	748 ROSLYN RD	GROSSE POINTE WOODS, MI 48236	748 ROSLYN RD