Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:02 PM on November 6, 2013 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Members Present:
Theodore Dziurman, Chair
Gary Abitheira
Teresa Brooks
Michael Carolan
Brian Kischnick (arrived 3:02 PM)

Support Staff Present:
Mitch Grusnick, Building Official/Code Inspector
Gerald Rice, 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: Carolan
Support by: Abitheira

RESOLVED, To approve the minutes of the October 6, 2013 Regular meeting as submitted.

Yeas: Abitheira, Carolan, Brooks, Kischnick, Dziurman

MOTION CARRIED

3. HEARING OF CASES

A. **VARIANCE REQUEST, LAWRENCE K LAVANWAY, for LAVANWAY SIGN COMPANY INC., 5440 CORPORATE** – A variance to allow a third ground sign measuring 48 square feet.

Mr. Grusnick reviewed the variance request. The applicant came to the Board and received a variance last month for additional wall signage. The request before the Board today is for a 3rd ground sign. Mr. Grusnick reported the department received no responses to the public hearing notices.

Michael Keen represented Lavanway Signs and stated this site is unique in that it has 2 street frontages. Currently, there is one tenant monument sign on Corporate which gets very little traffic and a second tenant monument sign on Crooks. They would like to increase the size of a third leasing sign on Crooks where there is heavy traffic.

There was discussion on:

- What the owner intends to do if they reach 90% occupancy

Chair Dziurman opened the floor for public comment; there was no one present who wished to speak.

Moved by: Brooks
Support by: Kischnick

RESOLVED, To grant the request to allow a third ground sign measuring 48 square feet for the following reasons:

1. The variance does not adversely affect properties in the immediate vicinity of the proposed sign.
2. The petitioner has a hardship or practical difficulty resulting from the unusual characteristics of the property that precludes reasonable use of the property.

Yeas: Abitheira, Carolan, Brooks, Kischnick
Nay: Dziurman

MOTION CARRIED

B. **VARIANCE REQUEST, MICHAEL KONJA for MK2 LLC dba LUCKY'S MARKET, 4835 JOHN R** – A variance to allow two (2) additional wall signs with a combined size of 49.5 square feet. The Sign Code does not allow any wall signs on the building.

Mr. Grusnick reviewed the variance request. He reported this is an existing legal non-conforming property. The business use on the property precedes the current residential zoning. The department has received no responses to the public hearing notices.

The applicant Michael Konja Jr. stated they have just been approved to be a contractor for USPS. It would be beneficial to their business to place signage on the north and south elevations to advertise.

There was discussion on:

- Integrating the USPS sign into already existing signs
- Removing the canopy sign on the east elevation
- Concerns of the residential subdivision adjoining this property to the south

Mr. Carolan motioned to deny the variance request. No second.

Chair Dziurman opened the floor for public comment; there was no one present who wished to speak.

Mrs. Brooks motioned to approve signage on the north elevation of the building and deny the signage on the south elevation due to the uniqueness of the building and the owner trying to provide a service to the community while respecting the residential environment to the south.

Support by: Kischnick

Mrs. Brooks amended her motion to grant a sign on the north and east elevations with the removal of the liquor canopy if the appellant decides to place sign on east elevation.

Mr. Kischnick was in support of the amendment on the table.

RESOLVED, To grant the request as amended for the following reasons:

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 83.
2. The variance does not adversely affect properties in the immediate vicinity of the proposed sign.
3. The petitioner has a hardship or practical difficulty resulting from the unusual characteristics of the property that precludes reasonable use of the property.

Yeas: Abitheira, Dziurman, Brooks, Kischnick
Nay: Carolan

MOTION CARRIED

C. **VARIANCE REQUEST, ANDREW J. MOISEEV for MOISEEV/GORDON ASSOCIATES, INC., DETROIT MEETING ROOMS, NORTH OF SQUARE LAKE AND I-75, EAST OF ADAMS (PID's 88-20-06-352-030, -031, -032)** – A variance for relief of Chapter 93, Appendix C, Section C103.1 and Section 912.2, to provide a fully suppressed building in lieu of the Code required fire hydrant.

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

Assistant Fire Chief David Roberts addressed the Board. He has reviewed the proposal and would be in support of a fully suppressed building. The Troy Fire Department would not object to the variance request because of the recognized benefit of having fire suppression built into the building where the majority of fires start.

The applicant stated they meet in this building no more than five to six hours per week and there is no kitchen.

There was discussion on:

- The viability of a fire suppression system
- How an external fire would be handled
- Fire hydrant site requirement

Chair Dziurman opened the floor for public comment; there was no one present who wished to speak.

Moved by: Carolan
Support by: Kischnick

RESOLVED, To grant the request as submitted for the following reason:

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 93, as the proposed suppression system exceeds requirements.

Yeas: Abitheira, Carolan, Brooks, Kischnick
Nay: Dziurman

MOTION CARRIED

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS

Finalize the 2014 monthly meeting dates. The monthly meeting dates will be held the 1st Wednesday of each month with the exceptions of:

- The January 2014 meeting will be held on the 8th.
- The July 2014 meeting will be held on the 9th.

7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 4:07 PM.

Respectfully submitted,

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Theodore Dziurman, Chair

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Gerald Rice, Recording Secretary

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BUILDING CODE BOARD OF APPEALS SIGN-IN SHEET

November 6, 2013

NAME *(PLEASE PRINT)*	*ADDRESS*
Michael Konjes JR	04835 John R troy
John Pitrone Hayman Co.	5700 Crooks RD.
Mike Kean-LaVanway	82124 Telegraph Rd
Andrew Moiseev	4351 Delaware Cy Royal Oak Mi