The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:34 A.M., on Wednesday, February 1, 2006 in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Ted Dziurman
Rick Kessler
Bill Nelson
Tom Rosewarne
Frank Zuazo

ALSO PRESENT: Mark Stimac, Director of Building & Zoning
Marlene Struckman, Housing & Zoning Inspector Supervisor
Pamela Pasternak, Recording Secretary

ITEM #1 – APPROVAL OF MINUTES – MEETING OF FEBRUARY 1, 2006

Motion by Kessler
Supported by Nelson

MOVED, to approve the minutes of the meeting of February 1, 2006 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUESTED. BASEMENT EXPERTS, 1493 OAKCREST, for relief of Section R305 of the 2003 Michigan Residential Code to convert a basement to habitable space.

Mr. Stimac explained that the petitioner is requesting relief of the 2003 Michigan Residential Code to finish a basement that includes the installation of a suspended ceiling with finished ceiling heights of 6'-9" and 6'-11". The plans also indicate a dropped ceiling for ductwork with a 6'-4" ceiling height. The 2003 Michigan Residential Code, Section R305, requires a 7' minimum ceiling height in finished basements and 6'-6" for dropped ceilings under beams and ductwork.

This item first appeared before this Board at the meeting of February 1, 2006 and was postponed to this meeting to allow the petitioner the opportunity to explore the possibility of finishing the basement with a code compliant height for the ceiling; and, also to have the petitioner draw up additional plans indicating the location of ductwork and plumbing lines.

Mr. David Dubay and Mr. Steve Attar of Basement Experts were present. They presented the Board members with new drawings indicating that they had added additional interior walls showing a ceiling height of 6'-11" everywhere except under the ductwork. Mr. Dubay stated that this area would still have the 6'-4" ceiling height. They

ITEM #2 – con't.

have attempted to tighten up the plywood as much as possible and have been unable to bring this ceiling height up any farther.

Mr. Stimac asked for clarification regarding the new plan the petitioners presented to the Board. One of his concerns was the 1 ½' wide area going from the beam to the unfinished area. Mr. Dubay stated that the heat duct runs parallel to the beam. Mr. Dubay also explained that there are supply lines and additional ductwork in the area where the beam drop is 3' wide. They have attempted to make the ceiling as tight as possible, but the ceiling height would still be 6'-4". Mr. Stimac also asked whether the corner that is indicated on the outside wall is a sharp corner. Mr. Attar stated that as shown, it would be a 90º angle. Mr. Stimac asked if they would be able to soften that corner at all. Mr. Attar said that they would be able to change that corner to become a 45º angle.

Mr. Kessler asked what was in the unfinished part of the basement. Mr. Dubay said that this was the furnace room, which also contains the hot water tank and sump pump. Mr. Kessler then asked how wide the basement was and the petitioner stated that it is 28 ¼' wide and the finished area is about 16'.

Mr. Kessler asked how much space was between the finished ceiling and the ductwork. Mr. Dubay said that there is ½" plywood and behind the wood is a ½" furring strip. Mr. Kessler stated that he was hoping that the petitioner would have provided more detailed drawings that would have shown more information.

Mr. Zuazo asked what the ceiling height would be and Mr. Dubay said that they have brought it up to 6'-11" and their main area of concern was under the ductwork. Mr. Attar said that they are also dealing with the air conditioning and gas lines.

Mr. Kessler stated that he is very concerned about the final 6'-4" height as in his opinion it is very low. Mr. Nelson asked what the height of the ceiling was now in this area and Mr. Attar said that it runs from 6'-4 ½" to 6'-5".

Mr. Zuazo asked how far from each corner the wall will come out. Mr. Attar said that they will change the angle to a 45º and it would be about 2" from the inside corner.

Motion by Nelson
Supported by Kessler

ITEM #2 – con't.

MOVED, to grant Basement Experts, 1493 Oakcrest, relief of Section R305 of the 2003 Michigan Residential Code to convert a basement to habitable space, with a 6'4" ceiling height under the ductwork where 6'6" is required under beams and ductwork.

- Angle on corner will be changed from a 90º to a 45º angle.
- Ceiling height under beam and ductwork will be 6'-4".
- Ceiling height for the rest of the remodeled area will be 6'-11".

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #3 – VARIANCE REQUESTED. DAN PACK, QUICKEN LOANS, 800 TOWER, for relief of the Sign Ordinance to install a second 190 square foot wall sign on an existing building.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to install a second 190 square foot wall sign on an existing building. Section 85.02.05 3a of the Sign Ordinance states that buildings in the R-C Zoning District are allowed one wall sign for each building, not to exceed 10% of the area of the front of the structure, to a maximum of 200 square feet in area. Presently there is a 190 square foot wall sign on this building.

Mr. Dean Downing from Commercial Advertising and Mr. Dan Pack of Quicken Loans were present. Mr. Downing stated that the proposed sign would be identical to the existing sign and would afford more visibility to traffic on the I-75 corridor. Rock Financial is continuing to grow and they do not feel that the small lawn sign in front of the building aids in their clients finding this building. The proposed sign will be the same fabrication of the existing sign and will fit the building. Both signs will not be visible at the same time, each sign will address a different area of traffic.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Mr. Kessler asked the petitioner if they had taken a look at downsizing this sign at all. He believes that the monument sign along the road offers enough visibility for motorists looking for this site.

Mr. Downing explained that although there are monument signs, he does not believe they offer enough visibility. The basic configuration of the blue "Rock" followed by the word "Financial" makes the sign difficult to read. Mr. Kessler stated that in his opinion this sign could be one-half the proposed size and would be easily visible. Mr. Pack

ITEM #3 – con't.

said that the smaller size does not work out. Laurel Park Place, which is located right off of I-275 and is clearly visible from the highway, has a smaller sign and it is very hard to see.

Mr. Nelson asked how the size of the sign was calculated and Mr. Stimac said that the petitioner had provided insufficient information for the Building Department to calculate the exact size of the sign based on the requirements of the Ordinance. Mr. Stimac said that in looking at the application and with additional information, he felt that 50 square feet of the proposed sign could be trimmed off based on the Ordinance.

Mr. Dziurman asked if the existing sign complies with the Ordinance and was informed that it does.

Mr. Nelson asked if this request was for 190 square feet. Mr. Stimac said that the Board could approve this request with the sign as shown on the application. Mr. Nelson said that he didn't have a problem with a 150 square foot sign, but did not like the idea of a second 190 square foot sign.

Motion by Nelson
Supported by Kessler

MOVED, to grant Dan Pack, Quicken Loans, 800 Tower, for relief of the Sign Ordinance to install a second wall sign on an existing building.

- Proposed sign approved as presented on the petitioner's application.
- Proposed sign will not exceed 150 square feet.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #4 – VARIANCE REQUESTED. RON & ROMAN, LLC, REPRESENTING KRUSE & MUER RESTAURANT, 911 WILSHIRE, for relief of Chapter 85 to erect two (2) additional wall signs for an office development, one that is 76 square feet in area and the other, which would be 24 square feet in area.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to erect two (2) additional wall signs for an office development. One of the proposed signs would be 76 square feet in area on the south side of this restaurant and a second sign is proposed to be 24 square feet on in area on the north side of the building. Section 85.02.05 3a, permits one wall sign for each building, not to exceed 10% of the area of the front of the structure to a maximum size of 200 square feet in area. This site already has been permitted one wall sign, which is 92 square feet in area.

ITEM #4 – con't.

Mr. Roman, and Mr. Tom Kruse, the owner of the restaurant were present. Mr. Roman said that this restaurant is quite unique. The existing sign on the west side of the building is wonderful as it provides great visibility to traffic along Crooks Road. The proposed sign will be oriented with the south elevation and will face the large parking field that you can see from Big Beaver. Mr. Roman said that they would like to be able to draw attention to the restaurant, which should be opening within a matter of weeks and are vital for identification.

Mr. Kruse stated that they are unsure of why Friday's left this location, but they do believe it was because they were not visible to traffic along Big Beaver. These signs will help to increase visibility to Kruse and Muer's and will also help them to compete with the other restaurants in this area. The building sits back from the property and visibility is very difficult.

Mr. Dziurman asked how many signs would be on this building and Mr. Roman explained that there would be four signs. One of the signs will be used to identify the carryout area so that guests would not have to go through the restaurant or hostess station to pick up a carryout. These signs would be directional types of signage.

Mr. Kruse stated that they are primarily interested in providing identification on the north side of the building. The south side will have a separate entrance for carryout orders and the signs will call attention to that area.

Mr. Roman stated that the two signs are exactly the same and would be 92 square feet. Mr. Stimac said that the Public Hearing was advertised indicating that the petitioner was asking to put up an additional 76 square foot sign, and if in fact, they wanted a 92 square foot sign the Public Hearing notices would have to be re-published. Mr. Roman apologized and said that they forgot to include the "fish" behind the sign in their calculations.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Mr. Zuazo confirmed that the larger sign would be on the south side of the building. Mr. Kruse said that he did not give it a lot of thought until driving in the area at night and realized that the area is very dark. Mr. Kruse said that he believes the additional signage will help immensely in identifying this restaurant.

Motion by Kessler
Supported by Nelson

ITEM #4 – con't.

MOVED, to grant Ron & Roman, LLC, representing Kruse & Muer Restaurant, 911 Wilshire, relief of Chapter 85 to erect two (2) additional wall signs for a restaurant, one that is 76 square feet in area and the other that will be 24 square feet in area.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.
- Variance applies only to the property described in this application.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

The Building Code Board of Appeals meeting adjourned at 9:16 A.M.

Ted Dziurman, Chairman

Pamela Pasternak, Recording Secretary