Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on September 3, 2014 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

Support Staff Present:
Mitch Grusnick, Building Official/Code Inspector
Allan Motzny, Assistant City Attorney
Kathy L. Czarnecki, 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: Abitheira
Support by: Brooks

RESOLVED, To approve the minutes of the August 6, 2014 Regular meeting as submitted.

Yeas: All present (5)

MOTION CARRIED

3. HEARING OF CASES

A. **VARIANCE REQUEST, CHRISTINA AND DOUG LISKA, 6881 SHELLDRAKE DRIVE** – This property is a double front corner lot. As such it has a required front setback along both Shelldrake and Cadmus. The petitioner is requesting a variance to install a 4 foot high metal fence in the required front setback along Cadmus where City Code limits fences to 30 inches high.

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

Mr. Liska said the four foot high fence would provide better protection for their children from traffic and the drainage ditch. He said moving the fence closer to the street would allow more usable yard and play area. Mr. Liska said they were aware of the City code relating to fences on a double front corner lot prior to the purchase of their home and advised of the process to follow to request a variance.

There was discussion on:

- Sidewalks in the future, most unlikely because of existing drainage ditch.
- Neighborhood comments.
- Busy intersection.
- Type and location of the proposed fence.

Chair Dziurman opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Abitheira
Support by: Carolan

RESOLVED, To grant the variance as requested, based on the following reasons:

1. The variance does not adversely affect properties in the immediate vicinity of the proposed fence.
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: All present (5)

MOTION CARRIED

B. **VARIANCE REQUEST, LISA SAWCHYN FOR IMAGEONE INDUSTRIES, 750 W. 14 MILE ROAD** – A variance for relief of the Sign Code to place wall signs measuring a combined total of 1423 square feet on a new building. The Sign Code limits the total combined area of all wall signs to 10% of the front area of the structure. The signage on this building is limited to 850 square feet.

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

Tom Gianni of Imageone Industries, present to represent Field & Stream, addressed the request as relates to:

- Store location deep in the northeast corner of Oakland Mall.
- Store size (55,000 square feet).
- Store identification and visibility from I-75 and three facades.
- National store logo.
- Sign illumination.
- Dynamics of the high-end outdoor sports marketplace.

Mr. Gianni circulated a color rendering of the Field & Stream store.

Board members discussed:
- Potential for additional signs.
- Store location.
- Window application.
- Variances, if any, associated with former tenant.

Chair Dziurman opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Abitheira
Support by: Carolan

RESOLVED, To grant the variance request, based on the following reasons:

1. The petitioner has a hardship or practical difficulty resulting from the unusual characteristics of the property that precludes reasonable use of the property.

Vote on the motion on the floor.

Yeas: All present (5)

MOTION CARRIED

C. **VARIANCE REQUEST, KEVIN DETERS FOR METRO DETROIT SIGNS, 200 KIRTS** – A variance to allow 218 square feet total combined area of all wall signs. The Sign Code allows a maximum total combined area of all wall signs to not exceed 10% of the area of the front face of the building. The front face of the building measures 1564 square feet; thus 156.4 square feet of wall signs is allowed.

D. **VARIANCE REQUEST, KEVIN DETERS FOR METRO DETROIT SIGNS, 50-200 KIRTS** – (a) A variance to allow 3 additional ground signs measuring 1936, 17.25 and 12 square feet, respectively. The Sign Code allows 2 ground signs per development. There are 2 ground signs currently located at the development. (b) A variance to allow a 60 foot high, 1936 square foot ground sign set back 10 feet from the right-of-way. The Sign Code limits signs set back less than 20 feet to 50 square feet and 10 feet in height.

At the request of the petitioner, the two items were discussed collectively with the understanding that the Board could vote on each item separately should it choose.

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

Paul Deters of Metro Detroit Signs was present to represent Chamberlain College of Nursing. Mr. Deters addressed the challenges for drivers to identify and find the building because of the property's unique location and surrounding mature foliage. He asked the Board's consideration to grant the variance requests for the wall sign on the south elevation over the main entrance and a third ground sign for directional purposes. Mr. Deters said the petitioner would ask the Board's consideration on the variance request for the 60 foot high ground sign at a later date.

Jamie Sinutko, Campus Dean at Chamberlain College of Nursing, shared information on the college; it's an accredited institution with a capacity of 400 nursing students offering different levels of nursing degrees. Ms. Sinutko said students would be on campus Monday through Saturday, 8 a.m. to 7 p.m.

George Adkins, Director of Campus Marketing, said the Troy campus would be the 15th location for Chamberlain. They anticipate thousands of inquiries on the Troy campus from prospective nursing students. Mr. Adkins said he was challenged himself as an out-of-towner to locate the college off of the I-75 expressway.

Mr. Deters addressed the ground sign as relates to signage for the building tenants and its location further from the entry drive. He said the property manager and property owner are receptive to relocating the mature trees in the front of the property to allow the ground sign to be more visible. Mr. Deters circulated a photograph of the mature trees.

Mr. Grusnick said removing, relocating and replanting trees on the property might require site plan approval. He advised the petitioner to contact the Planning Department for the procedure to follow.

Members discussed:

- Calculations relating to the proposed signage.
- Percentage of building capacity.
- Signage on the north façade.
- Wall signs would not be visible at the same time.
- Tenant signage.

Chair Dziurman opened the floor for public comment. No one spoke at this time.

Moved by: Kischnick
Support by: Carolan

RESOLVED, To approve the variance requests as presented for both the wall and ground signs except for the 1936 square foot, 60' high ground sign which is to be considered separately, with the condition the existing geometric sign be removed as promised, based on the following reasons:

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 85.
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.

Discussion on the motion on the floor.

Bill Artzberger of Lean Learning Center, 200 Kirts Blvd, voiced opposition to granting the variance requests and removing the geometric sign that identifies the entrance to their facility.

Andy Gutman of Farbman Group, representative of the building landlord, and Mr. Artzberger, exited the meeting to discuss a resolution to the tenancy signage.

Messrs. Artzberger and Gutman returned to the meeting, at which time Mr. Artzberger stated the matter has been resolved and he has no further objection to the variances as requested.

Vote on the motion on the floor.

Yeas: All present (5)

MOTION CARRIED

A short discussion followed on the petitioner's remaining variance request for a 60 foot high ground sign that was not considered or approved in the foregoing resolution.

Mr. Deters stated the petitioner officially withdraws the request for a 60 foot high ground sign.

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS

None.

7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 4:02 p.m.

Respectfully submitted,

Theodore Dziurman /klc

Theodore Dziurman, Chair

Kathy L Czarnecki

Kathy L. Czarnecki, Recording Secretary

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BUILDING CODE BOARD OF APPEALS SIGN-IN SHEET

September 3, 2014

NAME (PLEASE PRINT)	*ADDRESS*
Tom Giarni (Field + Stream)	677 Doylestown Rd, Bensalem, PA
Doug & Christina Liska	6881 Shellbrake Dr MI 48085
Bill Ottinger	200 Kirts Blvd, Troy
George Adkins	"
Jzime Sinutko	"
Paul Deters	23544 Hoover, Warren
Andy Gatman	2840 Northwestern Hwy, Sfld MI
Jeff Adams	200 Kirts Blvd
NAME (PLEASE PRINT)	*ADDRESS*

BUILDING CODE BOARD OF APPEALS MEETING SIGN-IN SHEET

September 3, 2014