Chair Dziurman called the meeting of the Building Code Board of Appeals to order at 3:02 p.m. on Wednesday, October 1, 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

Absent:
Brian Kischnick

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: Brooks
Support by: Carolan

RESOLVED, To approve the minutes of the meeting of September 3, 2014 as submitted.

Yeas: All present (4)

MOTION CARRIED

3. HEARING OF CASES

A. **VARIANCE REQUEST, DAXESHKUMAR PATEL, 4621 SUTHERLAND** – This property is a double front corner lot. As such it has a required front setback along both Sutherland and John R. The petitioner is requesting a variance to install a 6 foot high privacy fence in the required front setback along John R where City Code limits fences to 30” high. The proposed fence will be set back 15’ from the property line at John R.

Mr. Patel stated he has two young children who play in his back yard. A 30” fence, which the ordinance does allow, is low enough that his 4 year old could scale it. The Board discussed the 5 responses in opposition to Mr. Patel’s request, detailing the negative impact it would have on the surrounding area and subdivision.

Moved by: Carolan
Support by: Abitheira

RESOLVED, To deny the variance request as written on the basis the variance would be contrary to the public interest and would adversely affect properties in the immediate vicinity of the proposed fence.

Yeas: All present (4)

B. **VARIANCE REQUEST, JOHN CARROLL FOR ARANEAE INC., 5151 CORPORATE DRIVE** – A variance to allow a second wall sign measuring 143.33 square feet where only one wall sign is allowed.

The petitioner requested to table the item to the November 5, 2014 meeting.

Moved by: Brooks
Support by: Abitheira

RESOLVED, To table the variance request.

Yeas: All present (4)

C. **VARIANCE REQUEST, PAUL DETERS FOR METRO DETROIT SIGNS, 880 W LONG LAKE** – A variance to allow a second wall sign measuring 197 square feet, where only one wall sign is allowed.

Mr. Deters from Metro Detroit Signs stated Molina wants an east-facing sign. Ms. Brooks asked if there are any night services. The petitioner stated there are only administrative functions at this location. Ms. Brooks had concerns about illumination of the proposed sign.

There was no public response.

Moved by: Carolan
Support by: Abitheira

RESOLVED, To approve the variance request on the basis the variance would not be contrary to the public interest or general purpose and intent of Chapter 85; and the variance does not adversely affect properties in the immediate vicinity of the proposed sign.

Yeas: All present (4)

D. **VARIANCE REQUEST, MARK R. JOHNSON FOR MRJ SIGN COMPANY LLC, 6765 ROCHESTER** – A variance to allow a replacement ground sign to be placed 25 feet into the future right of way. Ground signs must be set back 10 feet outside the future right of way line. Mr. Johnson revised to locate the sign 13' inside the future right-of-way. The applicant also submitted a letter stating they would move the sign at their own expense if the City ever purchases the future right-of-way. However, there are no current plans to purchase the future right-of-way.

The Board had a general discussion regarding the request.

There was no public response.

Moved by: Abitheira
Support by: Brooks

RESOLVED, To approve the variance request on the basis the petitioner has a hardship or practical difficulty resulting from the unusual characteristics of the property that precludes reasonable use of the property with the stipulation of the 13' in the right-of-way.

Yeas: All present (4)

E. **VARIANCE REQUEST, JONATHAN MICHALEK, FIRST BAPTIST CHURCH OF TROY, 2601 JOHN R** – A variance to allow 11 additional ground signs (banners) to be attached to parking lot light posts. Each proposed banner is 8 square feet in area. The Sign Code allows only one banner.

Steve Trombly spoke on behalf of the petitioner. They would like to better identify the church and the school combined in the same building as well as beautify the property. The parking lot is relatively new. They feel that putting up the banner signs would help them to achieve those objectives and not take anything away from the property.

The Board had a general discussion regarding the request.

There was no public response.

Moved by: Carolan
Support by: Brooks

RESOLVED, To approve the variance request on the basis the variance would not be contrary to the public interest or general purpose and intent of Chapter 85; and the variance does not adversely affect properties in the immediate vicinity of the proposed sign.

Yeas: All present (4)

F. **VARIANCE REQUEST, MARK GIBSON, MAJESTIC SIGN & DESIGN, 2170 E BIG BEAVER** – A variance to allow a ground sign that is 11 feet tall and 102 square feet in area, to be set back 8 feet from the front property line. The Sign Code requires this sign to be set back at least 20 feet from the front property line. A revised plan changed the proposed sign to 98.5 square feet to 10.8' tall.

Mr. Walkowski stated their building is closer to the road than many other businesses in the district, making compliance more of a challenge. They believe that having the foresight to construct the building so that the less than appealing view of a parking lot being in the front of the building unjustifiably penalizing them for having the sign close enough to Big Beaver to be effective.

The Board had a general discussion regarding the request.

There was no public response.

Moved by: Carolan
Support by: Abitheira

RESOLVED, To approve the variance request on the basis the variance would not be contrary to the public interest or general purpose and intent of Chapter 85; the variance does not adversely affect properties in the immediate vicinity of the proposed sign; and 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 (4)

4. COMMUNICATIONS
None

5. PUBLIC COMMENT
None

6. MISCELLANEOUS BUSINESS
None

7. ADJOURNMENT
The regular meeting of the Building Board of Appeals adjourned at 3:57 p.m.

Respectfully submitted,

Theodore Dziurman

Theodore Dziurman, Chair

Gerald Rice / klc

Gerald Rice, Recording Secretary

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BUILDING CODE BOARD OF APPEALS SIGN-IN SHEET

October 1, 2014

NAME (PLEASE PRINT)	ADDRESS
PAUL DETERS	880 W. 20MG LK
RICK WALKOWSKI	2170 E. Big Beaver Rd
Lena Wilson	
Don Calcaterra, J- Towne Mortgage	
STEVE TROMBLY	FIRST BAPTIST, Troy 2601 John R
Stephen Allen	First Baptist, Troy 2601 John R
Daxeshkumar Patel	
Michael Smiley	6765 Dalston Rd Troy MI 48098
MARK R. JOHNSON-MOTSKO	[illegible]
Larysa Figiel	City of Troy Engineering
Mark Gibson	14000 Masonic Fraser MI