

The Vice Chairman, William Nelson, called the meeting of the Building Code Board of Appeals to order at 8:47 A.M., on Wednesday, March 5, 2003.

PRESENT: William Nelson  
Frank Zuazo  
Rick Kessler

ALSO PRESENT: Mark Stimac  
Ginny Norvell  
Pam Pasternak

ABSENT: Ted Dziurman  
Tim Richnak

Mr. Stimac explained to the people in the audience, that due to the fact that a full board was not present, the petitioners would have the option of requesting that their item be postponed to allow them the benefit of a full board.

### **ITEM #1 – APPROVAL OF MINUTES – MEETING OF FEBRUARY 5, 2003**

Motion by Kessler  
Supported by Zuazo

MOVED, to approve the minutes of the meeting of February 5, 2003 as written.

Yeas: 3 – Nelson, Zuazo, Kessler  
Absent: 2 – Dziurman, Richnak

### **ITEM #2 – VARIANCE REQUEST. VENDORS SOURCE, INC., 1895-1955**

**STEPHENSON**, for relief of the Sign Ordinance to maintain a 6 square foot ground sign with a commercial message that was installed without the required permit.

Mr. Stimac explained that the petitioner is requesting permission to maintain a 6 square foot ground sign with a commercial message that was installed without the required permit. Section 9.02.05 (A) of the Ordinance limits the site to two (2) ground signs. Currently there are two permitted ground signs on this site. This third ground sign exceeds the number of signs permitted.

Mr. Jeff McCarthy, of Vendors Source, Inc. was present and stated that they rented space from Controlled Power. Mr. McCarthy explained that Controlled Power subdivided the building into several spaces and now rent them out to different companies. Mr. McCarthy said that they were the first tenants to lease space, and they put their sign up. Since that time other spaces have been leased, and more signage is being put up. Mr. McCarthy also said that presently there are two separate buildings that are connected, but that the owner plans to take out the connector and these buildings will become two freestanding buildings, which then will allow more signage. Mr. McCarthy said that he only requires this variance for a period of 90 days, which will allow the connector between the buildings to be taken out, at which time he and another tenant plan to incorporate both of their names on one free standing sign.

**ITEM #2 – con't.**

Mr. Zuazo asked how the other tenants advertised their businesses. Mr. McCarthy stated that one tenant has their own sign.

Ms. Norvell informed the Board that these buildings are in the M-1 (Light Industrial) Zoning District and because they are connected are considered to be one building. Ms. Norvell also said that the owner is considering removing the connector at which time these buildings will be considered separate buildings and more signage will be allowed.

Mr. Zuazo asked the petitioner if this was only a temporary request. Mr. McCarthy stated that he thought the matter could be resolved within a 90 to 120-day time period.

Mr. Nelson opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written approval on file. There are no written objections on file.

Mr. Nelson asked if there was a provision in the Ordinance that covers a multi-tenant building. Mr. Stimac replied that the Sign Ordinance allows two (2) ground signs per building, and also allows for wall signs. This sign proposal is for a ground sign and has to comply with the Ordinance regarding the number of ground signs that are allowed.

Mr. Zuazo asked if this building would be physically separated and Mr. Stimac replied that they would have to remove the connector.

Mr. Kessler asked when the owner was going to return to this area, and Mr. McCarthy stated that he is due back at the end of March.

Mr. Zuazo asked if the petitioner knew how the owner would feel about putting up one sign advertising all of the tenants. Mr. McCarthy stated that he did not think the owner was inclined to do this for the tenants; however, he would allow the tenants to install their own signage.

Motion by Kessler  
Supported by Zuazo

**ITEM #2 – con't.**

MOVED, to grant Vendors Source, Inc., 1895-1955 Stephenson, a variance for relief of the Sign Ordinance to maintain a 6 square foot ground sign with a commercial message that was installed without a permit.

- Variance will be for a time period of ninety (90)-days, from the date of this meeting.
- 90-day time limit will allow for the owner to remove the connector between the buildings.
- Variance will allow enough time for petitioner to obtain a sign permit and erect a sign that will be in compliance with the Ordinance.

Yeas: 3 – Kessler, Nelson, Zuazo

Absent: 2 – Richnak, Dziurman

MOTION TO GRANT VARIANCE FOR NINETY (90) DAYS CARRIED

**TAKEN OUT OF ORDER - ITEM #4 – VARIANCE REQUEST. EUKO DESIGN SIGNS, INC., 2100 W. MAPLE,** for relief of the Sign Ordinance to install a sixth (6) wall sign, 19 square feet in size.

Motion by Kessler  
Supported by Zuazo

MOVED, to postpone the request of Euko Design Signs, Inc., 2100 W. Maple, for relief of the Sign Ordinance to install a sixth (6) wall sign, 19 square feet in size until the next meeting of the Building Code Board of Appeals.

- To allow the petitioner the opportunity to be present.

Yeas: 3 – Zuazo, Nelson, Kessler

Absent: 2 – Richnak, Dziurman

MOTION TO POSTPONE REQUEST UNTIL THE NEXT MEETING OF THE BUILDING CODE BOARD OF APPEALS CARRIED

**ITEM #3 – VARIANCE REQUEST. KASPER ENTERPRISES, INC. (PLANET NEON), 1938 WOODSLEE,** for relief of the Sign Ordinance to install a 32 square foot ground sign, 1' from the property line.

Mr. Stimac explained that the petitioner is requesting relief to install a 32 square foot ground sign. Section 9.02.05 of the Ordinance requires the sign to be placed at least 10 feet setback from the front property line. The site plan submitted indicates placement of this proposed sign 1' from the front property line.

**ITEM #3 – con't.**

Mr. Mike Reitenga of Planet Neon and Mr. Gregory Boyajian of Sun Medical were present. Mr. Boyajian stated that his company had moved into this building in October 2002 and after ordering a sign to identify their business, discovered that the planned location would be between two (2) trees and would not be visible to customers and applicants. Mr. Boyajian also stated that it is very difficult to see any type of signage due to the fact that the building on the corner has a large berm, which makes visibility a problem. Mr. Boyajian indicated that the reason they would like the sign constructed 1' from the south property line, is so that the sign would be visible for clients and applicants coming to their business.

Mr. Nelson asked if there was a driveway on each side of the building. Mr. Boyajian said that an old house had been next door to their building, however, was no longer there and although there is a curb cut, there is not a paved driveway. Mr. Nelson said that he was concerned that a sign placed in this area would cause an obstruction, and Mr. Boyajian said that he felt that the berm was a greater problem than his proposed sign.

Mr. Nelson opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written approval on file. There are no objections on file.

Mr. Zuazo asked if the sign could be placed on the other side of the driveway. Mr. Boyajian said that there are a number of vans and other vehicles that are parked there all day, which he thought would create a visibility problem. Mr. Boyajian said that this location is quite unkempt and very close to the parking and he would rather have the sign in front of the building.

Mr. Kessler asked if the City would be inclined to go in and clean up the area in front of the adjacent site to the west, in order for the sign to be placed 10' back from the property line. Mr. Stimac stated that it is not the City's policy to remove trees that are healthy trees.

Mr. Nelson asked if the existing signage on the wall would remain and Mr. Boyajian said that the channel lettering would be removed as soon as the new sign was installed.

Mr. Stimac asked how many tenants occupy this building and Mr. Boyajian said that there were four. Mr. Stimac then asked if the people who come to this building are clients, employees, delivery persons, etc. Mr. Boyajian stated that they are all of these types of people and that the number varies from day to day. Mr. Stimac then asked if they had thought of incorporating the address on their sign and Mr. Boyajian stated that he had not. Mr. Boyajian also said that he thought that this would be a good idea. Mr. Boyajian again stated that he thought that the proposed location of this location would be best as far as aesthetics and visibility are concerned.

**ITEM #3 – con't.**

Mr. Nelson asked what would happen if a sidewalk were to come through this area and Mr. Stimac stated that a sidewalk would be no closer than 1' north of the property line, and the proposed sign would be located 1' south of the property line.

Mr. Kessler asked approximately how many people visit this business that are unfamiliar with this location. Mr. Boyajian stated that the numbers that come in range from half a dozen to about fifty (50) people, and he estimated that approximately 50% of these people are not familiar with the site.

Mr. Nelson explained that due to the fact that not all of the members were present, Mr. Boyajian would need three (3) affirmative votes to pass this request, and if the petitioner wished this request could be postponed to allow the petitioner to have the benefit of a full board. Mr. Boyajian stated that he did not wish to lose any more time, and would rather the request was voted on now.

Mr. Stimac asked if there was any signage on the building, which identifies this business. Mr. Boyajian stated that they have placed a couple of signs in the windows, however, he does not feel that this provides enough identification and does not look very professional. Mr. Stimac stated that he felt that the Board was not comfortable approving this request, due to the fact that they were not able to visualize the position of the trees and how they would impact this sign.

Mr. Kessler indicated that he would like more detailed information from the petitioner regarding the existing trees and the proposed location of this sign. Mr. Kessler felt that if the petitioner could provide a photo indicating how the trees would obstruct this sign, it would be easier to make a determination regarding this request. Mr. Boyajian stated that he did not want to wait another thirty days to erect this sign. Mr. Kessler suggested that the sign be placed in the area which would be in compliance with the Sign Ordinance, and if the owner was not satisfied with this location, he had the option to come back to the Board with more detailed information and request a variance at that time. Mr. Zuazo stated that he felt the same way as Mr. Kessler did.

Motion by Kessler  
Supported by Zuazo

MOVED, to postpone the request of Kasper Enterprises, Inc., 1938 Woodslee, for relief of the Sign Ordinance to install a 32 square foot ground sign until the next meeting of the Building Code Board of Appeals.

- To allow the petitioner to bring in a more detailed plan of the proposed location of the sign and the existing trees.
- To allow the petitioner to draw the proposed sign to scale on the site plan.

Yeas: 3 – Kessler, Zuazo, Nelson

**ITEM #3 – con't.**

Absent: 2 – Dziurman, Richnak

MOTION TO POSTPONE THIS REQUEST UNTIL THE NEXT MEETING OF THE BUILDING CODE BOARD OF APPEALS CARRIED

Mr. Stimac indicated that the Building Department would attempt to arrange a special meeting of the Building Code Board of Appeals, and would notify the petitioner if a special meeting was to be scheduled before the regularly scheduled meeting of April 2, 2003.

The Building Code Board of Appeals meeting adjourned at 9:40 A.M.

MS/pp