

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M. on Wednesday, March 7, 2001.

PRESENT: Ted Dziurman
Bill Nelson
Bill Need
Rick Kessler
Frank Zuazo

Mark Stimac
Ginny Norvell
Pam Pasternak

ITEM #1 – APPROVAL OF MINUTES, MEETING OF FEBRUARY 7, 2001

Motion by Nelson
Supported by Need

MOVED, to approve the minutes of the meeting of February 7, 2001 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUESTED. COMMERCIAL SIGNS, REPRESENTING CORRADI'S SPORTS BAR, 1090 ROCHESTER ROAD, for relief of the sign ordinance to install a second wall sign that is 57 square feet in size.

Mr. Stimac explained that the petitioner is requesting relief of the Sign Ordinance to install two wall signs that are each 57 square feet in size. Chapter 78, Section 9.02.05, B permits one wall sign not to exceed 100 square feet in size and a second sign 20 square feet in size at this location. While one sign complies with the Sign Ordinance, the second sign exceeds the permitted size.

Mr. Dean Downing of Commercial Signs, and Mr. John Corradi, owner of Corradi's were present. Mr. Downing stated that the hardship for this location is the fact that this property sits extremely close to Rochester Road and there is no viewing angle for traffic heading northbound on Rochester. Mr. Downing said that people are forced to make a radical turn into the parking lot, which creates a safety hazard. Mr. Downing believes that the larger signs will eliminate this safety hazard by allowing greater visibility to traffic heading both northbound and southbound.

Mr. Zuazo asked who owned the property immediately to the south of Corradi's and if they were aware of any possible building in this area. Mr. Corradi stated that he owned this property and he did not have any plans to build in this location. Mr. Zuazo then asked what the present sizes of the signs at this location were. Mr. Downing stated that they are each 40 square feet, which is less total square footage (100 square feet plus 20 square feet) than is presently allowed under the Sign Ordinance. Mr. Downing

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further stated that if this variance were granted, the total size of these two signs would still be less than total 120 square feet permitted.

Mr. Stimac stated that the original variance granted on March 7, 1974, allowed two 40 square foot wall signs, totaling 80 square feet. He said that at that time, he thought the maximum square footage allowed was 75 square feet for one wall sign.

Mr. Downing pointed out that there is a difference in the perception of the size of the sign due to the type of sign it is. He feels that a "box sign" gives the impression that it is much larger than the channel letter type of sign that they are now proposing.

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

Mr. Corradi stated that he had brought in a letter from Mr. Fowler of 931 Rankin stating that he approved of this extra signage. Mr. Fowler was in the audience and stated that Mr. Corradi had improved this location as far as clientele and appearance were concerned. He further stated that he feels that Mr. Corradi has enhanced this entire area.

Mr. Dziurman asked where the new signs would be located and Mr. Corradi stated that they would be put in exactly the same place as the old signs. Mr. Nelson asked if the proposed signs could be measured in a way that would make them smaller and Mr. Stimac stated that he thought perhaps some space could be taken off one corner of the sign, but did not feel that it would bring these proposed signs down to 40 feet. Mr. Dziurman asked how much signage would be allowed at this location and Mr. Stimac stated that they could have one wall sign that would be 100 square feet and a second sign that would be 20 square feet.

Motion by Nelson
Supported by Kessler

MOVED, to grant Commercial Signs, representing Corradi's Sports Bars, 1090 Rochester Road, a variance to install a second wall sign that is 57 square feet in size.

- Variance will not have an adverse effect on surrounding property.
- Size of the variance will not exceed the maximum allowable square footage of a primary sign of 100 square feet and a tenant sign of 20 square feet.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #3 – VARIANCE REQUESTED. JOE CHEHAYEB, OF CHOICE DEVELOPMENT, SOUTHWEST CORNER OF SOUTH BOULEVARD AND

LIVERNOIS ROAD, for relief of the Chapter 83 to construct two masonry walls at the entrance to Rolling Hills Subdivision.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 83 to construct two masonry walls at the entrance to the Rolling Hills Subdivision. Chapter 83 limits the height of fences and walls to 30 inches in that portion of the property in front of the building setback line. The plan submitted indicates two subdivision entrance masonry walls located on lots 1 and 2 in the front setbacks along Omar and East South Boulevard. Each wall is approximately 30' in length, 4'-6" in height with 8' high-end columns.

Mr. Joe Chehayeb was present and stated that this wall is actually part of the marketing for this new subdivision and without this variance, it would create a hardship for the builder. Mr. Dziurman asked who would be responsible for maintaining this wall and Mr. Chehayeb stated that the homeowner's association would eventually be responsible. Mr. Dziurman then asked if the wall was going to be erected on private property and Mr. Chehayeb stated that there is an easement provided on the private property, for the construction of this wall.

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

There are no written complaints or approvals on file.

Mr. Chehayeb further pointed out that the wall would be facing the Oakland Steiner School rather than other homes or a subdivision. Mr. Dziurman asked if this would be the only entrance to the subdivision and Mr. Chehayeb stated that the subdivision is made of two cul-de-sacs and the other entrance would be off of Livernois. Mr. Chehayeb further stated that there is another wall that would be erected in this subdivision, but he did not think the other wall would be a violation of Chapter 83. Mr. Zuazo asked how far the walls were from the sidewalk and Mr. Chehayeb stated that they would be put up approximately 15' from the sidewalk. Mr. Zuazo also asked about lighting and Mr. Chehayeb stated that there would be a street light as well as lights on top of the wall.

Motion by Need
Supported by Nelson

MOVED, to grant Joe Chehayeb, of Choice Development, southwest corner of South Boulevard and Livernois relief of Chapter 83 to construct two masonry walls at the entrance to Rolling Hills Subdivision approximately 30' in length, 4'-6" in height with 8' high end columns.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.

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Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #4 – VARIANCE REQUESTED. GARY ZELDA, 2969 E. BIG BEAVER, for relief of the Sign Ordinance to install a fourth ground sign that is 20 square feet in size.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 78 to install a fourth ground sign that is 20 square feet in size. Chapter 78, Section 9.02.04 permits two ground signs at this location, and, currently there are three ground signs as a result of a variance granted in 2000.

Mrs. Brenda Zelda was present and stated that visibility is very poor for westbound traffic on Big Beaver and on many occasions they have had people call asking where they were located. She stated that due to the fact that their building is so small it is very hard to locate. Mr. Dziurman asked if they owned or were leasing this building, and Mrs. Zelda stated that they are leasing this property. Ms. Zelda went on to say that because of the existing Golden Gate sign and the location of the Midas building their building is not visible to passing motorists. Mr. Dziurman then asked where the sign was going to be placed and Ms. Zelda stated that it would be on the north side of the sidewalk and will not be in the right of way.

Mr. Need asked if they could put their sign onto the major Golden Gate sign. Mrs. Zelda stated that there is no room available for them on this sign. She stated that they had approached the owner, and although their business is important to this shopping center, the space on the sign is limited to tenants who are leasing larger spaces. Mr. Zuazo asked if they were considered a part of the mall or a separate entity. Mrs. Zelda stated that 30,000 square feet of this property had to be re-zoned at the time they put their business in. She said that as far as the landscaping requirement was concerned, they were considered separate, but as far as signage is concerned, they are part of the shopping center.

Mr. Zuazo then asked if the owners of the plaza would allow them to put up their own sign and Mrs. Zelda stated that the owner would approve of them adding another sign. She stated that they would not want them to put their name on the large Golden Gate sign. Mr. Need asked if she had anything in writing from the owner indicating that he would not allow them to add their name to this sign. Mrs. Zelda stated that she did not have anything in writing but had several conversations with the owner.

Mr. Need asked if the primary Golden Gate sign was at the maximum allowed for a ground sign and Mr. Stimac stated that it exceeds the limit allowed. Mr. Stimac went on to say that presently there are three ground signs at this location. Mr. Stimac said the sign on Dequindre, which was approved by a variance, is 72 square feet; there is a 32 square foot sign under the main sign and the primary sign is 410 square feet. Mr.

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Stimac also said that the current ordinance would be one ground sign up to 200 square feet and a second sign that would be permitted that would be up to 36 square feet.

Mr. Gary Zelda asked if there would be a difference if he were to purchase this building and Mr. Stimac told him that he would still have to comply with the ordinance. Mrs. Zelda asked about the fact that one of the signs on the property is a "for lease" sign and would not be considered a permanent sign. Mr. Stimac explained that as long as the size of the sign was in compliance with the Ordinance, it would not matter what the wording was on the sign. Mrs. Zelda stated that they had taken what was an abandoned property and improved not only this building, but the shopping center also as they added landscaping and cleaned up this area. Basically, she said all they want to do is make it easier for their customers to find them. She also said that their location is hurt due to the location of the Midas store.

Mr. Need asked how tall this sign was going to be and Mr. Zelda stated that it would be approximately 18" off of the ground, making the total height approximately 6 ½'.

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

There is one written objection on file. There are no written approvals on file.

Mr. Nelson asked if there were different stipulations for signs that say "for lease". Mr. Stimac stated that the Sign Ordinance regulates the size and location of the sign and not the content. Mr. Zelda questioned signs that are put up which say "now hiring". Mr. Stimac stated that as long as it is attached to the original sign it is O.K.

Mr. Need again asked if Mr. Dinan had given the petitioner anything in writing stating that they could not add their sign to the primary sign. Mrs. Zelda stated that she did not have anything in writing, but thought that she could get something in writing. Mr. Need stated that he was very concerned about the number of signs in this area and would rather have one larger sign, than many smaller signs. Mrs. Zelda went on to say that this was a selling feature for a new tenant to be able to have their name put on the main sign and this space was given to tenants that are leasing much larger spaces than they are. Mrs. Zelda also asked if they could put directional signs, and Ms. Norvell stated that they could not exceed 6 square feet and could not have their name on them.

Motion by Need
Supported by Kessler

MOVED, to table the request of Gary Zelda, 2969 E. Big Beaver, for relief of the Sign Ordinance to install a fourth ground sign that is 20 square feet in size until the meeting of April 4, 2001.

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- To allow the petitioner the opportunity to approach the owner to find out if they could put their sign on the primary ground sign.

Yeas: All – 5

MOTION TO TABLE REQUEST UNTIL THE MEETING OF APRIL 4, 2001 CARRIED

ITEM #5 - TONY FOWLER, 938 RANKIN, for relief of Section 306.5 of the 1996 International Mechanical Code.

Mr. Stimac explained that the petitioner has constructed a new industrial building with a roof height of approximately 21'. Although not originally included in the plans, the building is equipped with a rooftop mechanical unit. Section 306.5 of the 1996 International Mechanical Code requires that access to roof-mounted mechanical equipment be provided by the means of a permanent ladder or stairs on buildings over 16 feet in height. The petitioner is proposing to provide this access by means of an extension ladder maintained at the site.

Mr. Tony Fowler was present and stated that they are very concerned with the appearance of their building. He did not realize they needed an attached ladder to the outside of the building and if they had been aware of this fact, they would have reduced the height of the building. Mr. Fowler further stated that they were willing to take whatever steps would be required by the City so that a ladder would be provided at all times for access to the roof.

Mr. Dziurman asked if this was part of the 1996 BOCA Building Code and Mr. Stimac stated that it was actually part of the Mechanical Code. Mr. Stimac further stated that Mr. Fowler was not told about the need for a ladder at the time the plans were submitted, due to the fact that there was no indication of rooftop heating equipment. At the time the plans were submitted, radiant heaters were to be installed, and the Building Department did not learn of the roof top units until inspections of the building were made. Mr. Stimac also explained that Mr. Fowler had indicated that he would provide

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roof hooks to hold the ladder in place and the ladder would be secured by a two lock system, one which is the petitioner's and one which belongs to the City.

Mr. Need asked Mr. Stimac if there had been any problems with emergency access on other buildings using the proposed ladder system and Mr. Stimac replied that the City has access through the Fire Department in an emergency situation.

Motion by Need

Supported by Nelson

MOVED, to grant Tony Fowler, 938 Rankin relief of Section 306.5 of the 1996 International Mechanical Code to have an extension ladder maintained at the site for access to the roof.

- Variance applies to this property only.
- Variance will not have an adverse effect on surrounding property.

Yeas: 5 – Nelson, Need, Dziurman, Kessler, Zuazo

MOTION TO GRANT VARIANCE CARRIED

The Building Code Board of Appeals meeting adjourned at 9:30 A.M.

MS/pp