

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:35 A.M. on Wednesday, December 5, 2001.

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

ALSO PRESENT: Ginny Norvell
Pam Pasternak

ITEM #1 – APPROVAL OF MINUTES – MEETING OF NOVEMBER 7, 2001.

Motion by Nelson
Supported by Zuazo

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

Yeas: All – 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 - VARIANCE REQUEST. AMERICAN FREIGHT, 205 PARK, for relief of Chapter 83 to install an electrically charged fence.

Petitioner is requesting relief of the Ordinance to install an electrically charged fence at 205 Park. The site plan submitted indicates the placement of a 10' high electrically charged fence along the boundary lines of this property. Chapter 83, paragraph 3 prohibits the placement of this fence between the building line and Park Street. Chapter 83, paragraph 4, also prohibits the use of an electrically charged fence.

This item first appeared before the Board at the meeting of November 7, 2001 and was postponed to allow the petitioner the opportunity to contact the Crime Prevention Bureau, in order to determine if other options are available.

Dan Davis and Alan Kurzman of American Freight and Bill Mullis of Sentry Security Services, Inc. were present. Alan Kurzman, the Security Manager of American Freight, stated that he had met with Troy Police Officer Jeff Stacey and took him to a company called Yellow Freight so that he could see a similar fence that was already in place. Mr. Kurzman also said that Officer Stacey told him that American Freight had already implemented any safety measures he could recommend.

Chief Nelson stated that he had spoken with Officer Stacey who believes this fence would be an effective deterrent to burglary, but he was also concerned with safety issues for the Police Department and Fire Department. Mr. Kurzman stated that American Freight is more than willing to work with both the Fire and Police Departments to answer any questions and provide any training they might feel would be necessary.

ITEM #2 – con't.

Motion by Nelson
Supported by Need

MOVED, to grant American Freight, 205 Park relief of Chapter 83 to install an electrically charged fence with the following stipulations:

- Installation of the fence will be coordinated with the Fire Marshall.
- Training will be provided for both Police and Fire personnel in order to address any concerns they may have.
- Petitioner will set up training dates with Police/Fire Training personnel.

Yeas: All – 5

MOTION TO GRANT REQUEST CARRIED

ITEM #3 – VARIANCE REQUEST. DAN HEILEMAN, HEILEMAN SIGNS, REPRESENTING ELDER FORD, 777 JOHN R., for relief of the Sign Ordinance to replace a non-conforming sign box with a new sign box of equal size.

Ginny Norvell explained that the petitioner is requesting relief of the Chapter 78 to replace an existing non-conforming sign box with a new sign of equal size. The proposed sign is 33 square feet in size and 16 feet tall. Section 9.01, Table B of the Sign Ordinance now requires that a sign of this height be placed at least 20 feet setback from the ultimate right of way, (95 feet from the section line). The proposal is for the sign to remain at approximately 63 feet from the section line. Section 10.02.01 prohibits replacement of a non-conforming sign.

Dan Heileman, of Heileman Signs, was present and stated they wished to replace the existing sign with a new sign. Petitioner also indicated that they have moved the sidewalk to go around the other existing ground sign and will remove two other ground signs that are on the property.

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

There are no written objections or approvals on file.

Motion by Need
Supported by Kessler

ITEM #3 – con't.

MOVED, to grant Dan Heileman, Heileman Signs, representing Elder Ford, 777 John R., relief of the Sign Ordinance to replace a non-conforming sign box with a new sign of equal size.

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

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #4 – VARIANCE REQUEST. ACURA OF TROY, 1828 MAPLELAWN, for relief of the Sign Ordinance to add two (2) signs at 1828 Maplelawn.

Ms. Norvell explained that the petitioner is requesting relief to add a ground sign, which would be 81.24 square feet, 12 feet in height and setback 10 feet from the right of way. Section 9.02.05, A of the Ordinance requires a sign that is this size and height to be setback 20 feet from the right of way.

Ms. Norvell also explained that the petitioner is also requesting relief of the Ordinance to add a 36 square foot wall sign. Section 9.02.05, B of the Sign Ordinance limits the size of secondary wall signs to 20 square feet.

Mr. Michael Savoie and Keith Studzinski of Acura were present and stated that basically Acura is changing the colors of their signs and wish all dealerships to be consistent. Mr. Savoie explained that wall sign is not illuminated and the new pylon sign is actually lower in height than the existing sign, however, the base is larger. Mr. Savoie also stated that the new pylon sign will be in line with other signs that have been erected on Maplelawn.

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.

Motion by Need
Supported by Zuazo

ITEM #4 – con't.

MOVED, to grant Acura of Troy, 1828 Maplelawn, for relief of the Sign Ordinance to add four (4) signs at 1828 Maplelawn.

- Variance is not contrary to public interest.
- Variance will not create a prohibited use in a Zoning District.
- Variance will not have an adverse effect on surrounding property.

Yeas: All – 5

MOTION TO GRANT REQUEST CARRIED

The Building Code Board of Appeals meeting adjourned at 8:45 A.M.

GN/pp