

The regular meeting of the Building Code Board of Appeals was called to order by the Chairman, Ted Dziurman at 8:32 A.M. on Wednesday, August 2, 2000.

PRESENT: William Nelson
Tom Smith
Ted Dziurman
Rick Kessler
Tim Richnak

ALSO PRESENT: Mark Stimac
Ginny Norvell
Pam Pasternak

ITEM #1 – APPROVAL OF MINUTES, JULY 5, 2000 MEETING

Motion by Kessler
Supported by Nelson

MOVED, to approve the minutes of the July 5, 2000 meeting as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 - VARIANCE REQUEST - DOUGLAS MOSSMAN, OAKLAND MALL LTD, 268-394 JOHN R., OAKLAND PLAZA, for relief of Chapter 78.

Mr. Stimac explained that the petitioner is requesting relief to replace two existing ground signs. The plans submitted indicate that the proposed replacement signs are each 198 square feet in size, 25' in height and setback 7.5' from the right of way on John R. and Fourteen-Mile. Section 9.02.04 of Chapter 78, permits one sign up to 200 square feet in size, 25' in height and setback 30' from the right of way and a second sign which would be limited to 36 square feet.

Mr. Douglas Mossman, owner of the shopping center was present and stated that the existing pylon signs have been on the site since 1981 and are presently located directly at the right of way line. The proposed signs would be smaller and will be set back 7.5' from the right of way. Basically, Mr. Mossman stated that the tenants wanted these signs for tenant identification. Mr. Mossman stated that they wished to use the existing foundation, but that the sign structure would be smaller.

Mr. Nelson asked if the ordinance had changed since these signs were erected in 1981, and Mr. Stimac stated that the relationship to the right of way has changed. Mr. Stimac stated that back in 1981, he believed that there was a 0 setback to the right of way. Mr. Dziurman questioned the fact that they wished to add a second sign, and Mr. Mossman stated that it was due to the traffic pattern on Fourteen-Mile and John R. Mr. Mossman also stated that they have received a variance in 1981 to allow the present signs.

ITEM #2

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.

Mr. Nelson stated that he felt that according to the site plans there is a hardship because of the distance to Fourteen Mile. Mr. Nelson also stated that basically he understands that the proposed new signs would result in a net decrease in size of approximately 100 square feet per sign. Mr. Stimac confirmed that if the signs were placed back 30' from the right of way, it would require that the signs being placed in one of the islands. At this point, Mr. Mossman stated that he felt the new signs would be an improvement in appearance and would create a better set back situation.

Motion by Nelson

Supported by Richnak

MOVED, to grant Douglas Mossman, Oakland Mall LTD, 268-394 John R., Oakland Plaza, relief of Chapter 78 to replace two existing ground signs, with signs that are each 198 square feet in size, 25' in height and setback 7.5' from the right of way on John R. and Fourteen Mile.

- Variance is not contrary to public interest.
- This will result in a reduction from the current signage.
- This variance will not have an adverse effect on surrounding property.

Yeas: All – 5

MOTION TO APPROVE REQUEST CARRIED

ITEM #3 - VARIANCE REQUEST - RON PHILLIPS, REPRESENTING ROBERTSON EAST LLC, 4031 COOLIDGE, for relief of Chapter 83.

Mr. Stimac stated that the petitioner is requesting relief to construct an entranceway structure at a new condominium development on the northwest corner of Wattles Road and Coolidge Highway. The plan submitted indicates that the proposed structure, which is classified as a fence, is for the most part 36" high and includes a 10' high column. Chapter 83 limits the height of these fences in a front yard location to 30" in height.

Mr. Ron Phillips of Robertson Brothers was present and stated that basically this is a high end subdivision, with homes in the price range of approximately \$600,000 to \$800,000 and they felt that the entranceway should be a showpiece for these homes. He also stated that this would be a stone masonry monument and would be very attractive. Mr. Phillips stated that subdivision association would be responsible for maintenance on the wall.

ITEM #3

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

There is one written approval on file. There are no written objections on file.

Motion by Nelson
Supported by Kessler

MOVED, to grant Ron Phillips, representing Robertson East LLC, 4031 Coolidge relief of Chapter 83, to construct an entranceway structure at a new condominium development, which will be 36" high and includes a 10' high column.

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

Yeas: All – 5

MOTION TO APPROVE REQUEST CARRIED

ITEM #4 - VARIANCE REQUEST - MR. AND MRS. GREEN, 6811 LIVERNOIS, for relief of Chapter 83.

Mr. Stimac explained that the petitioners are requesting relief to erect a 4' high picket fence along the north property line in the front yard setback. Chapter 83 limits the height of fences located in the front yard setback to 30" in height.

Mr. and Mrs. Green were present and stated that since the sidewalk was installed at the north end of their property; people are continually cutting across their lawn damaging it. Mrs. Green stated that they have posted a "no trespassing – private property" sign, but it has had little or no effect.

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

Mr. Dziurman stated that this variance would effect 60' of fence that runs along the front of the property. Mr. Nelson asked if there had been a change in the right of way and Mr. Stimac stated that he believed that the right of way is approximately 33' to the front of the Green's property. Mr. Stimac further stated that the new subdivision provided 60' of the right of way. Mr. Nelson also asked if there were any plans for the changing of this right of way, and Mr. Stimac stated that there were and at that time the City would be responsible for purchasing 27' of fence. He also said that before the permit was issued, it would need to be checked with the Real Estate and Development office, to determine if there are existing easements.

ITEM #4

There are no written approvals or objections on file.

Mr. Nelson expressed concern over liability, due to the fact that the sidewalk would end at the fence. Mr. Richnak stated that the Public Works Department would install a sign warning pedestrians that the sidewalk was ending.

Motion by Kessler

Supported by Nelson

MOVED, to grant Mr. and Mrs. Green, 6811 Livernois relief of Chapter 83 to erect a 4' high picket fence along the north property line in the front yard setback.

- Public Works Department is to install a warning sign that the sidewalk ends.

Yeas: All – 5

MOTION TO APPROVE REQUEST CARRIED

ITEM #5 - VARIANCE REQUEST - MS. KATHLEEN DEBURGHGRAEVE, REPRESENTING NORTHFIELD HILLS CONDOMINIUM ASSOCIATION, 1750 BRENTWOOD, for relief of Chapter 78.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 78 to allow the placement of 20 off-site signs advertising a special event for a 7-day period. The Sign Ordinance limits the number of off-site signs to 4.

Ms. Kathleen Deburghgraeve was present and stated that this request was the same as the request that was made the year before. She also stated that attendance was up a great deal due to the additional advertisement and they have 40 new artists who wish to add their work to this Art Fair.

Ms. Deburghgraeve also stated that they receive written permission from people to place the signs on their property and the signs are cleaned up as soon as the Art Fair is over.

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

There are two written approvals on file.

MOVED, to grant Ms. Kathleen Deburghgraeve, representing Northfield Hills Condominium Association, 1750 Brentwood relief of Chapter 78 to allow the placement of 20 off-site signs advertising a special event for a 7-day period.

- This variance is not contrary to public interest.

Yeas: All – 5

ITEM #5

MOTION TO APPROVE REQUEST CARRIED

ITEM #6 - VARIANCE REQUEST – MS. PATTI KRULA, METRO DETROIT SIGNS, REPRESENTING JAGUAR, for relief of Chapter 78.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 78 to install three wall signs and a secondary ground sign at an existing new car dealership. The three wall signs would be as follows: a. One primary sign, 58 square feet in size; b. One secondary sign, 28 square feet in size; and another secondary sign 26 square feet in size. Section 9.02.05 B of the Ordinance permits one wall sign not to exceed 100 square feet and a single secondary wall sign not to exceed 20 square feet.

The proposed secondary ground sign would be 71 square feet in size. Section 9.02.05, D, 2 of the Ordinance limits the size of a secondary sign to 20 square feet.

Mr. John Deters, owner of Metro Detroit Signs was present and stated that even though this business was at one location; it was two different businesses. Mr. Deters also stated that the building is approximately 110' wide and the signs would take up about 40% of this length. Mr. Deters further stated that these are two very different automobiles and the Jaguar logo is synonymous with the leaping cat and the wings are synonymous with the Aston Martin.

Mr. Dziurman asked if the signs would total approximately 100 square feet. Mr. Stimac stated that the Building Department staff has worked extensively with both Metro Detroit Signs and the owners of the dealership to make these signs fit in with the ordinance, however, were unable to do so. Mr. Stimac also stated that if the wall signs were considered a one sign, the sign would exceed the allowable area of the Sign ordinance by 12 square feet.

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

There is one written approval on file.

Mr. Deters also stated that they are installing two ground signs and Ms. Norvell stated that both of these signs are in compliance with the ordinance. Mr. Richnak asked if the bottom parts of the signs are considered when measuring the square footage and Ms. Norvell stated that the ordinance requires that we look at the entire sign.

Motion by Kessler
Approved by Smith

ITEM #6

MOVED, to grant Metro Detroit Signs, representing Jaguar, 1815 Maplelawn relief of Chapter 78 to install three wall signs and a secondary ground sign at an existing new car dealership.

- This variance will not establish a prohibited use in a Zoning District.
- This variance applies to this property only.

Yeas: All – 5

MOTION TO APPROVE REQUEST CARRIED

The Building Code Board of Appeals meeting was adjourned at 9:15 A.M.

MS/pp