

A regular meeting of the Building Code Board of Appeals was called to order by the Chairman, Ted Dziurman, on Wednesday, December 1, 1999.

PRESENT: Ted Dziurman  
Rick Kessler  
Richard Sinclair  
Bill Need  
Kristin Gosine  
Bob Haralabakos  
Ginny Norvell

**APPROVAL OF MINUTES – NOVEMBER 3, 1999**

Motion by Need  
Supported by Gosine

MOVED, to approve the November 3, 1999 minutes as written.

Yeas: All

MOTION TO APPROVE MINUTES CARRIED

**ITEM #1 VARIANCE REQUESTED: MR. ROBERT VAN, COMMERCIAL SIGNS, 1897-1977 WEST SOUTH BOULEVARD, for relief of Chapter 78.**

This item was tabled from the November 3, 1999 meeting to give the petitioner the opportunity to be present.

Ginny Norvell explained that the appellant is requesting relief of the following Sign Ordinance requirements to relocate an existing sign:

1. Section 901, Table B requires a minimum 20-foot setback from the right-of-way. The plans show an 11-foot setback. The applicant needs a 9-foot variance.
2. Section 901, Table B limits the height of the sign to 10 feet. The plans show a height of 10.5 feet. The applicant needs a 6-inch height variance.

Mr. Robert Van, Commercial Signs, was present and stated that they had to move the existing sign to a position where it would be more beneficial to the shopping center. He stated that the entire area is almost all concrete and asphalt and it would be more difficult to place the sign in this area. He also stated that this is a permanent sign and there are five obstructions which make the sign very difficult to read when coming from the east.

**ITEM #1**

Mr. Dziurman asked why Mr. Van needed to make the sign 6" higher and Mr. Van replied that it was to keep the bottom of the sign up off of the snow. Mr. Dziurman also asked if the problem would be solved by making the sign higher but kept at the 20' setback. Mr. Van replied that the sign would still be obstructed from westbound traffic.

Mr. Sinclair asked if the setback would still be behind the concrete screening wall and Mr. Van stated that it would.

Bill Need stated that he felt that there should have been an adjustment made when the property was purchased by Rite-Aid, and feels that this is a self-imposed hardship.

Motion by Sinclair to approve the variances as requested.

Motion dies due to lack of support.

Motion by Need  
Supported by Kessler

MOVED, to deny the request of Mr. Robert Van, Commercial Signs, 1897-1977 West South Boulevard relief of Chapter 78.

- Self-imposed hardship.

Yeas: 4 – Dziurman, Kessler, Gosine, Need  
Nays: 1 – Sinclair

MOTION TO DENY REQUEST CARRIED.

**ITEM #2 VARIANCE REQUESTED: MR. MATTHEW G. HALL, 1903 BRINSTON, for relief of Chapter 83.**

Mr. Dziurman explained that the appellant is requesting relief of the 30 inch height restriction and the non-obscuring requirements for fences located in the front yard setback to allow the installation of both a 4' and 6' wood privacy fence along Alger.

Mr. and Mrs. Matthew Hall were present and Mr. Hall stated that there was an old fence along this same property line. He further stated that brush had been growing into the road and was considered a hazard. This has all been cleaned up and he would like to make this location a safe play area for his six year old.

There are eight (8) written approvals on file.

**ITEM #2**

Motion by Need

Supported by Kessler

MOVED, to grant Mr. Matthew G. Hall, 1903 Brinston, relief of Chapter 83 to allow the installation of both a 4' and 6' wood privacy fence in the front setback along Alger.

- This variance is not contrary to public interest.
- Approval from a large number of neighbors.

Yeas: All – 5

MOTION TO APPROVE REQUEST CARRIED

**ITEM #3 VARIANCE REQUESTED: MR. TOM ROTH, ROTH, INC., 1850 W. MAPLE, for relief of Chapter 78.**

Mr. Dziurman explained that appellant is requesting relief of the following Sign Ordinance requirements:

1. Section 9.02.05 permits two ground signs at this location. The replacement structure, 96 square feet in size, would result in four ground signs at the site.
2. Section 9.01, Table B requires the sign be placed a minimum of 20 feet from the right of way on West Maple, as well as Maplawn. The proposed location has a setback of only 6 feet from the right of way on West Maple.

Motion by Kessler

Supported by Sinclair

MOVED, to table the request of Mr. Tom Roth, Roth, Inc., 1850 W. Maple, for relief of Chapter 78 until the next scheduled meeting, January 5, 2000, to allow the petitioner the opportunity to be present.

**ITEM #4 VARIANCE REQUESTED: HARLEY ELLINGTON DESIGN, AGENT FOR WILLIAM BEAUMONT HOSPITAL, 44201 DEQUINDRE, for relief of Section 906.2.1 of the 1996 BOCA National Building Code.**

The appellant is requesting relief of the requirement to provide an automatic sprinkler system under the entrance canopy.

Mr. Kessler stated that this item has been withdrawn and no further action is necessary.

The Building Code Board of Appeals meeting was adjourned at 8:55 A.M.

RK:pr