

The Chairman, Mr. Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:33 AM on Wednesday, October 6, 2010 in the Lower Level Conference Room of Troy City Hall.

PRESENT: Ted Dziurman
 Michael Carolan
 Teresa Brooks
 John Szerlag

ALSO PRESENT: Mitch Grusnick, City of Troy Building Official
 Gerald Rice, Recording Secretary

ITEM #1 – APPROVAL OF MINUTES – MEETING OF SEPTEMBER 1, 2010

Motion to approve by Mr. Szerlag
Seconded by Ms. Brooks

MOVED, to approve the minutes of the meeting of September 1, 2010 as written.

Yeas: 4 – Dziurman, Carolan, Brooks, Szerlag

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED.

PUBLIC HEARINGS

ITEM #2 – VARIANCE REQUEST. DONNA HOLKE, INTERCITY NEON, INC., 6693 ROCHESTER ROAD, for relief of Chapter 85 to install one 37 square foot and two 9.6 square foot wall signs.

Petitioner is requesting relief of the Ordinance to install one 37 square foot and two 9.6 square foot wall signs. Section 85.02.05 (3) of the Sign Code allows two wall signs, the first of which cannot exceed 10% of the area of the front of the structure, to a maximum size of 200 square feet in area, and a second wall sign not exceeding 20 square feet.

Mr. Grusnick stated there was an unusually high public response (6 responses). Normally, approximately two dozen public notification letters are sent out for a variance request. Because this property abuts two high density multi-family residential developments there were over two hundred public notices sent.

Roy Schaefer with Intercity Neon stated they are looking for the three signs because of the positioning of the building. The extra sign is 9.6 square feet. They are allowed one additional sign at 20 square feet and they are asking for 2 signs at 19.2 square feet.

Doug Clark stated the building is angled so they are asking for signage on the ends of the building.

Mr. Schaefer stated it is just for a logo with no wording. It is internally illuminated with LED lights.

Jeff Glaser stated the logos are on two sides of the building so you would never see both at the same time. One faces north and the other faces kind of south. They thought it was tasteful and not over done.

Mr. Dziurman asked if they were allowed 200 square feet on the first sign.

Mr. Grusnick stated that is allowed.

Roy Schaefer stated there are no neon signs. The letters on the front of the building are reverse channel. They are haloed so they wash back on the wall. The two logo signs have LEDs and the ground sign has fluorescent lamps with luminous background.

Mr. Szerlag asked about the light intensity.

Jeff Glaser stated that lights used in all 3 signs are all very low intensity.

Motion to approve by Mr. Carolan
Seconded by Ms. Brooks

MOVED, to grant the request of Donna Holke, Intercity Neon, Inc., 6693 Rochester Rd, for relief of Chapter 85 to install one 37 square foot and two 9.6 square foot wall signs.

Yeas: 4 – Dziurman, Brooks, Szerlag, Carolan

MOTION TO GRANT VARIANCE CARRIED.

ITEM #3 – VARIANCE REQUEST. WILLIAM TOPPING, MID-MICHIGAN NEON, INC., 3921 ROCHESTER ROAD, for relief of Chapter 85 in order to place a new 165 square foot, 20 foot tall ground sign setback 13 feet from the right of way line.

Petitioner is requesting relief of Chapter 85 in to replace the existing ground sign with a new 165 square foot, 20 foot tall ground sign setback 13 feet from the right of way line. Table 85.02.05 states that signs in excess of 100 square feet in area must have a minimum setback of at least 30 feet from the front right of way line. A variance was granted by this Board at the September 1, 2010 meeting to allow the relocation of the existing 56 square foot ground set back 13' from the front right of way line.

Mr. Szerlag asked what size sign is allowed under the setback.

Mr. Grusnick stated with the proposed 13 foot setback a maximum 50 square foot sign is permitted. He added that if they had a 20 foot setback then a 100 square foot sign would be permitted.

A representative stated their customer wants to put in a LED message center. The petitioner is looking at the fact it wasn't his fault the road was widened. They are looking to get the most visibility possible.

Mr. Grusnick stated currently they have a 56 square foot sign because they have a variance for the 6 square feet they are over.

Mr. Dziurman asked if there were any plans to move the business to another location and would the customer want to move the larger sign with them if the variance were granted.

A representative stated this location is their headquarters and to their knowledge if anything they are looking to move across the street to the old Sprint building.

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

Mr. Dziurman stated he is opposed to the request at this time because it is three times larger than the ordinance allows.

Shawn Giles stated directly across the street from them is an LED sign for Mr. B's. They are doing a decent amount of business even with the construction. With the LED board they will add the look they want for their corporate office. The sign size has to do with the expansion of Rochester Road they are afraid of losing visibility due to increased traffic.

Mr. Dziurman stated he has no issue with the location of the sign, but he objects to the size. He stated he has driven by in the past and can see the sign with no problem.

Mr. Giles stated the number of customers coming through their doors is on par with their other salons.

Mr. Dziurman stated the smaller sign is drawing customers and a larger sign shouldn't make a difference except to violate the ordinance.

Mr. Giles stated the sign is doing a decent job, but a lot of that has to do with advertising. The LED board would make a more modern and professional image. The expanded lanes of traffic create concerns of people not seeing it.

Mr. Dziurman asked what would be on the board besides the name.

A representative stated there would be graphic and text messages. The LED board would have high resolution graphics.

Mr. Giles stated it would show pictures of the salon, employees and special discounts they are running.

A representative asked if the sign ordinance was for 50 square feet on one side or including both sides. He stated he had read something in the sign ordinance that stated if both sides are within 24 inches from each other.

Mr. Grusnick stated the sign is thin enough to include only one side in determining the size. If this sign exceeded the 24 inch depth then it would be a 330 square foot sign.

The representative stated they could work with the design and try to come up with something with a lower square footage and keep it below the 24 inches of depth and take it back to the owner.

Mr. Szerlag reiterated that if Lady Jane's had a 50 square foot sign with a 13 foot setback there would be no need for them to appear before the Board. The farther back their sign is from the right-of-way line the larger the sign can be. He asked how far the setback would have to be for a 165 square foot sign.

Mr. Grusnick stated there would have to be a minimum setback of 30 feet.

Mr. Szerlag stated his concern is the size of the sign. The reason other centers have a larger sign is because there is more than one business. This variance request is for a stand-alone facility. The Board has to look at other stand-alone facilities. Mr. Grusnick took pictures of signs north and south of the property. He would have no problem with the additional 6 square feet on the sign but he has a problem with going 3 times the permitted size plus 15 square feet.

Ms. Brooks asked for use of the proposed graphics, what is the minimum size sign they could utilize.

A representative stated the minimum size would be 5 foot by 9 foot.

Mr. Giles stated they currently have 6 parking spaces in front. With the Rochester Road widening they lost two parking spaces in front and two on the side. To achieve the sign size they want under the code they would have to have the sign 12 feet from the building and in the middle of the parking lot.

Mr. Dziurman stated he had no problem with the setback, but objects to the size of the proposed sign.

Mr. Grusnick informed the petitioner they could have a 100 square foot sign if they moved the setback to 20 feet.

item #3, cont'd

A representative stated they could work with a 100 square foot sign if they could get it at a 15 foot setback.

Motion by Mr. Carolan to deny the request
Seconded by Ms. Brooks

MOVED, to deny the request of William Topping, Mid-Michigan Neon, Inc., 3921 Rochester Rd, for relief of Chapter 85 in order to place a new 165 square foot, 20 foot tall ground sign setback 13 feet from the right of way line.

Yeas: 4 – Dziurman, Brooks, Szerlag, Carolan

MOTION TO DENY REQUEST CARRIED

The Building Code Board of Appeals meeting adjourned at 9:11 A.M.

Handwritten signature of Ted Dziurman in cursive script.Handwritten signature of Harold Rice in cursive script.