

The City Manager, Mr. Szerlag, called the meeting of the Building Code Board of Appeals to order at 8:35 AM on Wednesday, January 5, 2011 in the Lower Level Conference Room of Troy City Hall.

PRESENT: Michael Carolan
Teresa Brooks
John Szerlag

ABSENT: Ted Dziurman

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

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

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

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

Yeas: 3 – Carolan, Brooks, Szerlag

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED.

PUBLIC HEARINGS

ITEM #2 – VARIANCE REQUEST. JAMAL GHANEM, JIM’S AWNING, 5600 CROOKS RD, for relief of Chapter 85 in order to install a 2nd 54 square foot tenant wall sign.

Petitioner is requesting relief of Chapter 85 in order to install a 2nd 54 square foot tenant wall sign. Section 85.02.05 (c) (3) limits the size of tenant wall signs in R-C zoning districts to a maximum of 20 square feet.

Frank Shushtari stated someone driving southbound passing the restaurant would not know there is a restaurant there. The signage is in the front of the building and there is nothing on the sides. They are sitting lower than street level so it is really hard to see them.

Ms. Brooks asked if there was any way to reduce the sign size.

Another representative stated the 20 square feet would be too small on the wall because the building sets lower. They would have to take off the logo to keep the name big. The sign would not be as appealing then. The outside wall is 1,620 square feet.

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

MOVED, to grant the request of Jamal Ghanem, Jim's Awning, 5600 Crooks Rd, for relief of Chapter 85 in order to install a 2nd 54 square foot tenant wall sign.

Yeas: 3 – Brooks, Szerlag, Carolan

MOTION TO GRANT VARIANCE CARRIED.

ITEM #3 – VARIANCE REQUEST. JERRY WYZA, INTEVA PRODUCTS, 1401 CROOKS, for relief of Chapter 85 in order to install a third ground sign measuring 35 square feet.

Petitioner is requesting relief of Chapter 85 in order to install a third ground sign measuring 35 square feet. Section 85.02.05 limits the number of ground signs at this location to a maximum of 2.

Mr. Grusnick stated he had new information regarding proposed variance. Equity Drive is a private road. However, there is a City easement for a 20 foot water main located along the north side of Equity. The easement starts 5' from the edge of Equity and extends 20 feet to the north. Plans submitted show the sign's location with an 80 inch setback to Equity Drive, placing it in the easement.

Jerry Wyza stated his understanding is the sign would not be located in the water main easement. He is unaware of the plan showing an 80 inch setback. He asked how from Equity the sign could be located to avoid an easement encroachment.

Mr. Grusnick stated that he received confirmation from the Engineering Department that if the sign is located 25 feet or more from the north edge of Equity Drive it would be clear of any easement.

Mr. Kean asked if the sign could be placed immediately adjacent to the road in order to avoid a water main easement encroachment.

Mr. Grusnick replied that the 5 foot area from the edge of the road to the water main easement is part of a storm sewer easement. Although placement of a sign in this area may be possible with a properly executed hold harmless agreement with the City, Mr. Grusnick would not recommend locating the sign that close to the road.

Ms. Brooks and Mr. Szerlag agreed this location would be too close to the road.

Mr. Szerlag asked if the petitioner would like to table this variance request.

Mr. Kean stated he wishes to revise his request and asked the Board to approve the request with a 25 foot setback.

Ms. Brooks motioned to approve the sign request with the modification to its location being a 25 foot setback from the edge of Equity Dr.

Mr. Carolan seconded the motion.

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

MOVED, to grant the request of Jerry Wyza, Inteva Products, 1401 Crooks, for relief of Chapter 85 in order to install a third ground sign measuring 35 square feet setback 25' from the edge of Equity Dr.

Yeas: 3 – Brooks, Szerlag, Carolan

MOTION TO GRANT VARIANCE CARRIED.

ITEM #4 – VARIANCE REQUEST. SPECTRUM NEON CO., 2559 LIVERNOIS, for relief of Chapter 85 in order to install a tenant wall sign measuring 40 square feet.

Petitioner is requesting relief of Chapter 85 in order to install a tenant wall sign measuring 40 square feet. Section 85.02.05 (C) (3) limits the size of tenant wall signs in O-M zoning districts to a maximum of 20 square feet.

Mr. Grusnick stated there was 1 objection by mail. The gentleman was not clear if it was a ground or a wall sign. When Mr. Grusnick clarified it was a wall sign he had no objection.

Rep reiterated the adjacent property, CJ Mahoney's, has come to a similar situation. If they had to comply it would have been totally out of scale for the size of the space they are using. There is a similar situation here. They've combined 2 spaces and made a lot of improvements on the interior and exterior of the building. Had there been 2 separate spaces there would have been 40 square feet of signage permitted.

Mr. Szerlag stated if there were 2 separate facilities there could be 20 square feet per facility.

There is a single occupant has doubled the size. He has taken the spot next to him.

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

MOVED, to grant the request of Spectrum Neon, 2559 Livernois, for relief of Chapter 85 in order to install a tenant wall sign measuring 40 square feet.

Yeas: 3 – Brooks, Szerlag, Carolan

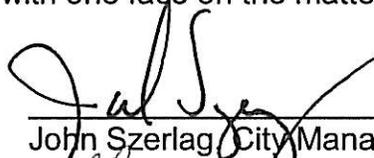
MOTION TO GRANT VARIANCE CARRIED.

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

Mr. Grusnick reported an update of Mr. Szerlag's idea of revising the sign ordinance for a graduated height depending on setback. Staff has spoken about that and thinks it makes sense to proceed.

Ms. Brooks stated it is a great idea.

Mr. Szerlag stated he would be happy to share the ordinance proposed changes they are looking for so they can go to City Council with one face on the matter.



John Szerlag, City Manager



Gerald Rice, Recording Secretary