Vice-Chair, William Nelson, called the meeting of the Building Code Board of Appeals to order at 8:40 A.M. on Wednesday, October 7, 2009 in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Bill Nelson
Tim Richnak
Mark Stimac
Frank Zuazo

ALSO PRESENT: Paul Evans, Housing & Zoning Inspector Supervisor
Pam Pasternak, Recording Secretary

ABSENT: Ted Dziurman

ITEM #1 – APPROVAL OF MINUTES – MEETING OF SEPTEMBER 2, 2009

Motion by Richnak
Supported by Zuazo

MOVED, to approve the minutes of the meeting of September 2, 2009 as written.

Yeas: 4 – Richnak, Stimac, Zuazo, Nelson
Absent: 1 – Dziurman

MOTION TO APPROVE MINUTES CARRIED

ITEM #2 – VARIANCE REQUESTED. PRLANTA JEWELERS, 888 W. BIG BEAVER, for relief of Chapter 85 to install a 43.5 square foot electronic changeable message tenant wall sign.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to install a 43.5 square foot tenant wall sign. Section 85.02.05 (c) (3) of the Sign Ordinance limits the size of tenant wall signs in the Office Zoning districts to not more than 20 square feet in area. In January 2008, this Board approved a variance to allow the petitioner to erect a 40 square foot tenant wall sign.

This item last appeared before this Board at the meeting of September 2, 2009 and was postponed to allow the petitioner to provide a copy of the manufacturer's instructions regarding the brightness of the sign; also to allow the petitioner to provide this Board with three or four typical screen shots of what they are proposing to put on the sign; and finally for the petitioner to demonstrate the implications between a 40 square foot sign and a 20 square foot sign.

Mr. Stimac further stated that the specifications from the manufacturer of the sign regarding the brightness of the sign as well as copies of proposed messages have been presented to the Board for further consideration.

M-1b

Mr. Norman Gumusmas of Prlanta Jewelers was present and stated that the configuration of the units require a larger sign.

Mr. Richnak stated that the original request was not for a changeable message sign. The original proposal was for a sign that would be back lit. Mr. Richnak stated that he traveled through the City as well as nearby communities to look at signs that have a changeable message. The color of the sign and back lighting makes a big difference on the impact on a building and the community. Red colored signs stick out and the change is not always harmonious in an area. Mr. Richnak asked if other communities had regulations regarding the brightness allowed for a changeable message sign.

Mr. Gumusmas stated that they would be willing to conform to whatever stipulations the Board would find proper.

Mr. Michael Zacks of Bright Star Signs was also present and stated that they would only advertise this business and not have other ads on the sign.

Mr. Richnak asked if Mr. Stimac was aware of any signs that were objectionable because they were too bright. Mr. Richnak further stated that this Board wants to be able to provide signage that is appropriate for this community.

Mr. Stimac said that each community has their own Sign Ordinance and was not aware of a universal regulation that would restrict the brightness of the signs. The brightness of the sign would be determined by each community. Mr. Stimac also said that he is not aware of a regulation that dictates that the brightness of the sign could not be operated over 50%.

Mr. Stimac said that the petitioner has provided Board members with pictures of changeable message ground signs in Troy and asked the petitioner if he was aware of any changeable message wall signs.

Mr. Gumusmas said that he did not go around and look for wall signs. Mr. Gumusmas also explained that the reason they need a 40 square foot sign is because for every inch of lettering you would need 10' of viewing distance. A 20 square foot sign would have dictated letters that are 24" tall and would give 200' of viewing distance. In order for this sign to be visible across Big Beaver the letters would have to be 30" tall.

Mr. Zacks stated that he did not drive the entire City looking for changeable message signs but does believe that if the brightness was set at 50% power it would be appropriate.

Mr. Stimac said that the manufacturer's specifications indicate that there is both an automatic and manual setting as well as an "ambient light sensor".

Mr. Zacks said that was correct but the maximum brightness would be 50%.

Mr. Stimac said that ambient light sensors will be at 50% capacity and would automatically adjust depending on how dark it is outside.

Mr. Richnak asked if the sign would be reduced during non-working hours.

Mr. Gumusmas said that the sign can be set on a timer and would shut off at midnight and go on at 6 AM.

Mr. Zacks stated that the timer can be regulated.

Mr. Evans stated that Norm's Field of Dreams has a changeable message wall sign.

Mr. Stimac asked how many changeable wall signs Bright Star has installed.

Mr. Zacks stated that the majority of these signs are either ground signs or pylon signs in order to get maximum exposure.

Mr. Stimac asked if the petitioner thought a changeable wall sign that would require a driver to look at it at a 90 degree angle could be considered a traffic hazard.

Mr. Zacks stated that in Livonia the messages cannot change for one minute and he does not believe it would be considered an obvious distraction. Mr. Zacks also stated that the message could remain on the screen for a longer period of time if that is what the Board required.

Mr. Richnak asked what would happen if another tenant moved into this space.

Mr. Gumusmas stated that he had received a letter from the property manager of Redico and that letter stipulates that if Prlanta Jewelers were to vacate the space, the sign would have to be removed and the area returned to its original condition.

Mr. Richnak stated that he thinks this sign would need to be monitored by the Director of Building and Zoning, or his designee to determine that the sign is not a detriment to the area.

Mr. Stimac said that he is aware of a City's sign ordinance that states that the City Manager has to approve what the brightness of the sign has to be. Mr. Stimac also said that he is not positive that 50% is the right number for the brightness of the sign.

Mr. Evans stated that he had received complaints on one of the changeable message signs and had contacted the property owner and the issue has been resolved.

Mr. Zuazo asked if the City would have the authority to go back to the property owner and explain that there have been complaints regarding the brightness of the sign.

Mr. Gumusmas stated that they are more than willing to work with the City regarding the illumination of the sign.

Mr. Richnak said that the petitioner is willing to set the brightness at any level and asked if it would be appropriate for the Board to designate a person or method that would set the brightness level on this type of sign.

Mr. Stimac said that it could be done. If the illumination was set the same on two different messages one of the messages could appear brighter than the other. The sign setting on the computer might say 50% but the sign could actually be brighter. Mr. Stimac said that it would also be possible to include a maximum of 50% brightness subject to the approval of the Director of Building and Zoning.

Mr. Evans stated that the applicants could provide City staff information of how the setting affects perceived brightness.

Mr. Gumusmas stated that red is too much at 50% or black is too much at 30%. Mr. Gumusmas said that they would be willing to work with the city and would be willing to make other changes down the line.

Mr. Evans said that there is also a different visual effect with snow covering the ground.

Mr. Nelson made a comment about the sign at Zion Church stating that when it was originally installed it was extremely bright. There were a number of complaints and the brightness has been adjusted.

Mr. Stimac said that originally it was his opinion that when the sign was first installed it was operating at 50% but without the ambient light sensor and now the sign has added that option.

Mr. Nelson said that red is too bright on this type of sign and asked what percentage the ambient light sensor would go down to.

Mr. Zacks said that it is automatically set at 50%.

Motion by Richnak
Supported by Zuazo

MOVED, to grant Prlanta Jewelers, 888 W. Big Beaver, relief of Chapter 85 to install a 43.5 square foot electronic changeable message tenant wall sign where Section 85.02.05 (c) (3) limits the size of tenant wall signs in the Office Zoning District to not more than 20 square feet in area.

- Initially setting should be at a maximum of 50% illumination.
- That the sign will also incorporate a light sensor that will further dim the sign based upon ambient illumination.

- Director of Building and Zoning or his designee will work with the petitioner to set an appropriate illumination level for the community.
- The sign shall meet all other City of Troy regulations.
- Each message will be displayed no less than sixty (60) seconds.
- Petitioner will cooperate with City Staff regarding any complaints that come in regarding the brightness of the sign.
- Sign will be removed at the time Prlanta Jewelers vacates this site per the landlord's requirements.

Yeas: 4 – Nelson, Richnak, Stimac, Zuazo
Absent: 1 – Dziurman

MOTION TO GRANT VARIANCE CARRIED

The Building Code Board of Appeals meeting adjourned at 9:17 A.M.

William Nelson, Vice-Chair

Pam Pasternak, Recording Secretary