The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M., on Wednesday, January 4, 2006 in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Ted Dziurman
Rick Kessler
Richard Sinclair
Tim Richnak
Frank Zuazo

ALSO PRESENT: Mark Stimac, Director of Building & Zoning
Marlene Struckman, Housing & Zoning Inspector Supervisor

ITEM #1 – APPROVAL OF MINUTES – MEETING OF DECEMBER 7, 2005

Motion by Kessler
Supported by Richnak

MOVED, to approve the minutes of the meeting of December 7, 2005 as written.

Yeas: All - 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUESTED. DEMPSTER DESIGNS ON BEHALF OF THE MEADOW BROOK PLAZA, 5047-5137 ROCHESTER, for relief of Chapter 85 to erect a new 130 square foot ground sign.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85, the Sign Ordinance to erect a new ground sign, 130 square feet in area, 13' in height and setback 17' from the ultimate right of way line of Rochester Road. Section 85.02.02 (4a), requires ground signs of this size to be at least 30' from the ultimate right of way line. This sign would replace an existing ground sign at the same location that is 150' in area and 30' in height.

Mr. Stimac said that the sign would be a reduction in size as well as height. Mr. Stimac also stated that the right of way line has changed since the original sign was erected.

Mr. Dempster from Dempster Designs was present and said that the proposed sign would be in the same location as the existing sign and they would utilize the pole of the existing sign for the installation of the new sign.

Mr. Richnak stated the new sign would be quite a reduction in size and height from the existing ground sign.

JHK

ITEM #2 – con't.

Mr. Dziurman asked if the property owner would agree to move the sign at a later date if the City of Troy acquired additional right of way. He stated the City of Troy would not want to pay to have the sign relocated.

Mr. Dempster stated that he believes the owner would be in agreement to assume the costs for moving the sign if need be. He stated the reason the property owner is erecting a new sign is to improve his property.

Mr. Zuazo asked if the location of the sign would have any impact on southbound Rochester Road traffic seeing the sign on the adjacent property. Mr. Dempster stated the location would be fine. He said the trees on the property have more of an impact than the sign would.

Mr. Stimac provided a photo of the existing sign for the board to review.

Mr. Dziurman 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. Zuazo asked if the sign would be illuminated. Mr. Dempster stated that it would be illuminated from the inside.

Motion by Richnak
Supported by Sinclair

MOVED, to approve the request of Dempster Designs, to erect a new ground sign, 130 square feet in area, 13' in height, setback 17' from the ultimate right of way of Rochester Road.

- The property owner will be responsible for all costs of relocating the sign if additional right of way is acquired in the future.
- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.
- Variance applies only to the property described in this petition.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #3 – VARIANCE REQUESTED. LARRY FARIDA, OF STONE AGE INVESTMENTS, 1613 LIVERNOIS, for relief of Chapter 85 to expand a legal non-conforming sign.

ITEM #3 – con't.

Mr. Stimac explained that the petitioner is requesting relief of the Sign Ordinance for a sign that is located on the northwest corner of Livernois and W. Maple. The petitioner is requesting relief to expand a legal non-conforming sign. Section 85.01.07 B3 states that a non-conforming sign may be continued as long as it is not expanded. The current sign is 78 square feet in area and 25' high. The petitioner is requesting to add an additional 24 square foot electronic changeable message board to the bottom of the sign.

Mr. Dziurman asked if the sign was in the City right of way and Mr. Stimac confirmed that the existing sign is located in the future right of way.

The petitioner stated that he would rather have the additional signage on the ground sign instead of the wall of the building, as it would be difficult to read the message if it were placed on the building. He also stated that the sign would still be high enough not to block the view of any traffic at the corner.

Mr. Zuazo asked at what time frame would the message change. The petitioner stated it would change once every 30 minutes.

Mr. Dziurman asked if the owner would assume responsibility and costs if in the future the right of way was expanded. The petitioner said that he would and also stated that any further purchase of right of way at this location would probably eliminate the business.

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

There are no written objections or approvals on file.

Motion by Kessler
Supported by Richnak

MOVED, to grant Larry Farida, of Stone Age Investments, relief of Chapter 85 to install an additional 24 square foot electronic changeable message board to the bottom of the existing ground sign.

- Petitioner agrees to move sign if the right of way is increased in the future.
- Variance would not have an adverse effect to surrounding property.
- Variance would not be contrary to the public interest.

Yeas: All –5

MOTION TO GRANT VARIANCE CARRIED

ITEM #4 – VARIANCE REQUESTED. METRO DETROIT SIGNS, 3129 – 3149 CROOKS, for relief of Chapter 85 to erect a 198 square foot ground sign.

The petitioner asked that this request be moved to the end of the Agenda as his architect was not in the room.

The Chairman moved this request to Item #6.

ITEM #5 – VARIANCE REQUESTED. GARDNER SIGNS, 801-803 W. BIG BEAVER, for relief of Chapter 85 to erect (4) wall signs at the above location.

Mr. Stimac explained that the petitioner is requesting relief of the Sign Ordinance to erect (3) wall signs, 189.43 square feet each and one additional wall sign 133 square feet in area. Section 85.02.05 3(a) permits one wall sign for each building not to exceed 10% of the front of the structure to a maximum size of 200 square feet in area. The proposed signs exceed the number and the amount of wall signage as permitted by the Sign Ordinance.

Mr. Stimac explained that an additional document that was left out of the Board's packet was provided to the board today to show the placement of the proposed signs on the building.

Mr. Dziurman asked if the total area of all of the signs permitted was 200 square feet. Mr. Stimac explained that only one sign was permitted and based on the square footage of the front of the structure could not exceed 200 square feet in area.

Chris Snyder of Huntington Bank was present along with Scott Gardner and Jeff Gardner of Gardner Signs. Mr. Snyder stated that the bank has been in business for 22 years at this location. His request is to improve and enhance the signage at this building. The bank is changing its name from Huntington Banks to Huntington Bank and has modified its logo for the company.

Mr. Scott Gardner stated that the request for the signs will provide visibility from I-75, Crooks, and Big Beaver. He stated that the signage is less than 4% of the square footage of the front of the building.

Mr. Richnak asked if this was one or two buildings. Mr. Stimac stated it was a single building.

Mr. Dziurman had a question on the location of the signs as depicted on the drawings and what was shown in the site plan. Mr. Gardner stated the signs could be altered.

Mr. Kessler asked if the letters on the plans were to scale and why they were requesting larger letters. Mr. Gardner stated they needed the larger letters for visibility from northbound and southbound I-75 traffic. Mr. Kessler stated he recently checked the site

ITEM #5 – con't.

and had no problem identifying the building. Mr. Kessler also asked if this was a multi-tenant building and Mr. Gardner said that it was. Mr. Kessler stated the other tenants in the building would not be able to provide signage to identify their location to the I-75 traffic.

Mr. Stimac stated that there was a variance granted by Troy City Council on February 13, 1992 for the second wall sign that is currently on the building. The signs approved by City Council were each 164 square feet in area. Mr. Stimac explained that the signs were box style signs instead of individual letters as currently requested by the petitioner. Mr. Stimac also explained that the box for the existing sign is 4' high and the letters in the box were probably 3' high.

Mr. Richnak stated that he also checked the site and did not see any problem with visibility.

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

There are no written objections or approvals on file.

Motion by Richnak
Supported by Sinclair

MOVED, to grant Gardner Signs, relief of Chapter 85 for 801-803 W. Big Beaver to erect 3 wall signs on the upper levels of the building and to ***deny*** the request or the wall sign requested on the north elevation of the 803 W. Big Beaver.

- Location is clearly visible.
- Sign on north elevation is not necessary for visibility of 803 W. Big Beaver.

Yeas: All – 5

MOTION TO APPROVE 3 WALL SIGNS AND ***DENY*** THE SIGN ON THE NORTH ELEVATION OF 803 W BIG BEAVER CARRIED

Mr. Sinclair left the meeting after item #5 was completed.

ITEM #6 (ITEM #4) – VARIANCE REQUESTED. METRO DETROIT SIGNS, 3129 – 3149 CROOKS, for relief of Chapter 85 to erect a 198 square foot ground sign with a 26' setback from the public rights of way of both Crooks Road and Wilshire Boulevard.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to erect a 198 square foot sign. Section 85.02.05 of the Sign Ordinance requires that a sign of this size be placed at a 30' minimum setback from the public right-of-way. The site plan

ITEM #6 – con't.

submitted shows a 26' setback from the public rights of way of both Crooks Road and Wilshire Blvd. Mr. Stimac stated that section 85.02.05 of the Sign Ordinance requires signs over 100 square feet must have a 30' setback from the public right of ways.

The owner, Mr. Mike Boggio stated that because of the size of the site and all of the easements on the property it would be difficult to meet the required setbacks. He also stated if they would be allowed this size of a sign they would not request the additional 36 square foot ground sign that would be permitted because they are on a major thoroughfare.

He also stated he revised the site plan and is requesting to install the sign at a 24' setback from the Wilshire Blvd right of way and 16' setback from the Crooks right of way.

Mr. Stimac stated that he would have to stay at the 26' setback if he wished to continue with this variance. He stated the change would require the Building Department to re-advertise the request based on the new dimensions.

Mr. Dziurman asked if there was anyone present that wished to speak.

Mr. Friedman from Finsilver Management was present. He stated he managed the building northwest of this site. He objected to the variance because he felt that it would affect the visibility to northbound Crooks Rd. traffic and also traffic on Wilshire Blvd. He stated he did not see the hardship required for the variance.

Mr. Dziurman asked if we rescheduled the hearing would Mr. Friedman still object to the variance? Mr. Stimac advised that Mr. Friedman could still make his objections at the next scheduled meeting in February.

Mr. Kessler stated that the corner clearance would have to be maintained. He also indicated there are a lot of easements on the property and that may be more of a hardship.

The petitioner stated there is a traffic light at this intersection.

Mr. Dziurman stated that this item would have to be postponed until the next regularly scheduled meeting of February 1, 2006 to allow the Building Department to re-publish the Public Hearing Notice with the new setback as proposed by the petitioner.

Motion by Richnak
Supported by Kessler

ITEM #6 – con't.

MOVED, to postpone the request of Metro Detroit Signs, 3129 – 3149 Crooks, for relief of Chapter 85 to erect a 198 square foot ground sign with a 26' setback from the public rights of way of both Crooks Road and Wilshire Boulevard until the meeting of February 1, 2006.

- Petitioner to submit new site plans to indicate where sign will be erected.
- To allow the Building Department the opportunity to publish a new Public Hearing Notice indicating the location of the proposed sign.

Yeas: All – 4

MOTION TO POSTPONE THIS ITEM UNTIL THE FEBRUARY 1, 2006 MEETING CARRIED

The Building Code Board of Appeals meeting adjourned at 9:44 A.M.

Ted Dziurman, Chairman

Marlene Struckman,
Housing & Zoning Inspector Supervisor