The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:32 A.M., on Wednesday, December 6, 2006 in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Ted Dziurman
Rick Kessler
Bill Nelson
Tim Richnak
Frank Zuazo

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

ITEM #1 – APPROVAL OF MINUTES – MEETING OF NOVEMBER 1, 2006

Motion by Kessler
Supported by Richnak

MOVED, to approve the minutes of the meeting of November 1, 2006 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUEST. MICHAEL BOGGIO ASSOCIATES, 3111, 3115, 3119 CROOKS ROAD, for relief of Chapter 85 to enlarge an existing 50 square foot ground sign to a size of 140 square feet in area.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to enlarge the existing 50 square foot ground sign to 140 square feet in area. The sign as proposed to be modified would be 3' from the public right-of-way. Section 85.02.05 limits signs within 10' of the property line to not more than 50 square feet in area.

Michael Boggio was present and stated that this site and the one to the north are similar in nature. The building to the north has a sign for which this Board granted a variance, approximately one year ago. The proposed sign, on the south site, would be almost identical to the sign for the building to the north. Mr. Boggio said that they are not proposing to change anything on the sign; they would just like to put the brick frame around it. This sign would not be as large as the sign to the north, but would be a nicer looking structure than what is currently in place.

Mr. Dziurman asked for clarification regarding the size of signs and the setbacks to the right of way.

JHJ

ITEM #2 – con't.

Mr. Stimac explained that the distance of the sign dictates the size of the sign from the right of way. The existing sign complies with the requirements of the Ordinance. The sign for the north building is located at a 16' setback from Crooks Road.

Mr. Boggio explained that they plan to use the existing masonry base and will not bring the sign any closer to the right of way. They would be going up rather than out.

Mr. Richnak stated that he had gone to the site and was very concerned about the site line along the sidewalk. Mr. Richnak feels that adding this brick frame will cause a problem for pedestrians to see on-coming traffic and believes the sign should be moved back. The proposed sign would created a very short site distance and this would affect the safety of both drivers and pedestrians.

Mr. Kessler stated that he agrees with Mr. Richnak and feels the proposed sign would create an obstruction. Mr. Kessler also stated that in order for the Board to grant a variance, a hardship is required with the land, and this parcel does not have a hardship.

Mr. Richnak asked if conditions could be placed on a motion regarding this proposed sign.

Mr. Stimac said that basically there were two options: One would be to postpone this request until the next meeting to allow the petitioner to explore other options; and the second to approve the request as long as certain conditions were imposed on it. If the request is approved with conditions and they choose not to implement them, the variance would expire.

Mr. Kessler asked how far back a sign of this size would have to go in order to comply with the ordinance and Mr. Stimac said at least 20' from the right of way.

Mr. Boggio said that they could not move it that far back, as the bottom two frames of the present sign would be blocked by the cars in the parking lot. Mr. Boggio felt that the sign could be moved back some, but if it was moved that far back they would have to put up a new sign.

Mr. Kessler said that as long as they were pouring cement they could move it back 6' as well as 2'.

The Chairman 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.

ITEM #2 – con't.

Mr. Dziurman asked the petitioner if they wished to postpone this request. Mr. Boggio said that they would rather have the Board approve the request with conditions attached.

Motion by Kessler
Supported by Richnak

MOVED, to grant Michael Boggio Associates, 3111, 3115, 3119 Crooks Road, relief of Chapter 85 to enlarge an existing 50 square foot ground sign to a size of 140 square feet in area.

- Leading edge of the new sign cannot be any closer than 5' to the property line.
- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.

Yeas: All – 5

MOTION TO GRANT VARIANCE WITH CONDITIONS CARRIED

The Building Code Board of Appeals meeting adjourned at 8:48 A.M.

Ted Dziurman, Chairman

Pamela Pasternak, Recording Secretary