The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M. on Wednesday, September 5, 2007 in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Ted Dziurman
Rick Kessler
Dave Roberts
Tom Rosewarne
Frank Zuazo

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

ITEM #1 – APPROVAL OF MINUTES – MEETING OF AUGUST 1, 2007

Motion by Kessler
Supported by Zuazo

MOVED, to approve the minutes of the meeting of August 1, 2007 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

Mr. Stimac stated that Item #2 and Item #3 were brought in by the same petitioner and were for adjoining sites. He said that he would like to discuss both items at the same time but asked that the Board take a separate vote on each item.

ITEM #2 – VARIANCE REQUESTED. WILD BILL & ASSOCIATES, 1250-1270 RANKIN, for relief of Chapter 85 to erect a ground sign setback 2' from the existing street right of way.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to erect a ground sign setback 2' from the existing street right of way. Table 85.02.05 requires a minimum setback of 10' from the existing street right of way. This is a multi-tenant Industrial building.

ITEM #3 – VARIANCE REQUESTED. WILD BILL & ASSOCIATES, 1220-1242 RANKIN, for relief of Chapter 85 to install a ground sign setback 2' from the existing right of way.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to erect a ground sign setback 2' from the existing street right of way. Table 85.02.05 requires a minimum setback of 10' from the existing street right of way.

ITEM #2 & ITEM #3

Mr. William Betz from Wild Bill & Associates was present and stated that there is a large berm with a lot of trees in the center of the berm. These trees would have to be removed in order for the sign to be visible. If the signs are setback 10" they would be on the down slope of the berm and would not be visible. The berm is approximately 4' high and heavily treed.

The Chairman opened the Public Hearing.

Mr. Julio Pozzuoli the Property Manager for these buildings was present. Mr. Pozzuoli stated that they support these requests. If the sign is placed without granting a variance it would be obscured by the very mature trees on the berm. A number of trees would have to be removed for the sign to be seen if installed in compliance with the Ordinance. The signs would be 18' from the curb.

No one else wished to be heard and the Public Hearing was closed.

There are nine (9) written approvals on file for Item #2. There are no written objections on file.

There are six (6) written approvals on file for Item #3. There are no written objections on file.

Mr. Dziurman asked about the history of the 10' setback from the right of way line.

Mr. Stimac stated that he did not know how the minimum setback came to be. Typically in the M-1 Zoning District, the 50' front yard setback is landscaped. 1270 Rankin is unusual in that there is parking in the front yard. 1220-1250 Ranking does have a 50' front yard setback and is heavily landscaped.

Mr. Dziurman stated that a sign 10' from the right of way line would be difficult to see.

Mr. Betz stated that the addresses would be visible.

Mr. Roberts asked if the signs would be placed near the existing fire hydrant.

Mr. Betz said that the sign would be at least 30' away.

ITEM #2

Motion by Kessler
Supported by Zuazo

ITEM #2 – con't.

MOVED, to grant Wild Bill & Associates, 1250-1270 Rankin, relief of Chapter 85 to erect a ground sign setback 2' from the existing street right of way, where Table 85.02.05 requires a minimum setback of 10' from the existing street right of way.

- Variance would not have an adverse effect to surrounding property.
- Heavy landscaping has created a hardship.
- Mature trees would have to be removed for the sign to be seen if installed in compliance with the Ordinance.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #3

Motion by Kessler
Supported by Zuazo

MOVED, to grant Wild Bill & Associates, 1220-1242 Rankin, relief of Chapter 85 to erect a ground sign setback 2' from the existing street right of way, where Table 85.02.05 requires a minimum setback of 10' from the existing street right of way.

- Variance would not have an adverse effect to surrounding property.
- Heavy landscaping has created a hardship.
- Mature trees would have to be removed for the sign to be seen if installed in compliance with the Ordinance.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #4 – VARIANCE REQUESTED. BENNY SPIELMAN, 1080 COOLIDGE, formerly 2963 Industrial Row, for relief of Chapter 85 to erect nine (9) wall signs totaling 93 square feet in area.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to erect nine (9) wall signs totaling 93 square feet in area. Chapter 85.02.05 (C) (5) (c) allows a maximum of one wall sign, a maximum 100 square feet in area, for each building. This property is located on the corner of Industrial Row and Coolidge. There will be two large wall signs and the remainder of the signs will be on the awnings that are on the building.

ITEM #4 – con't.

Mr. Spielman was present and stated that he has been approved to install one sign on the Coolidge side of the building, but in order to identify the building more easily, he would like another sign on the Industrial Row side of the building. Mr. Spielman went on to say that most of the buildings located on corners have signs on both sides of the building. The proposed wall sign is to be very thin and made from stainless steel and will fit in with the architecture of the building. Mr. Spielman also said that he will not put up a ground sign. The total square footage of all of the proposed signs will be under the allowable 100 square feet of signage. The Building has awnings above the windows and the letters on the awnings will provide a description of what products are available. Each sign on the awning will be 3 square feet or less.

Mr. Dziurman asked if the major sign on the west side of the building was allowed.

Mr. Stimac stated that the petitioner had chosen to take out one (1) permit for the allowed sign. This variance is for an additional wall sign and seven (7) signs put on the awnings.

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.

Mr. Kessler stated that in order for the Board to grant a variance, a hardship is required. He understands that this is a corner lot, but did not see a practical difficulty. Mr. Kessler went on to say that the examples that Mr. Spielman brought in did not necessarily apply to this request as the buildings are under a different Zoning Classification. Mr. Kessler questioned Mr. Spielman about the possibility of a ground sign.

Mr. Spielman stated that it would be very challenging to put in a ground sign, and all of the information required would be available on the awnings.

Mr. Dziurman asked if Mr. Spielman would be willing to indicate that he would not install a ground sign if this variance was granted.

Mr. Spielman said that he would.

Mr. Stimac stated that the Board could place reasonable conditions on the approval of a variance.

Mr. Kessler asked Mr. Spielman if he planned to put any signs up in the windows.

Mr. Spielman stated that he would not. Any display would be 5'-4" from the window.

ITEM #4 – con't.

Motion by Kessler
Supported by Roberts

MOVED, to grant Benny Spielman, 1080 Coolidge, formerly 2963 Industrial Row, relief of Chapter 85 to erect nine (9) wall signs totaling 93 square feet in area, where Chapter 85.02.05 (C) (5) (c) allows a maximum of one wall sign, a maximum 100 square feet in area, for each building.

- A ground sign will not be permitted on this site.
- Petitioner will forgo his right to have window signs.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #5 – VARIANCE REQUESTED. STEVE VANDERSLOOT, 755 W. BIG BEAVER, for relief of Chapter 85 to install three (3) 100 square foot Special Event Signs for breast cancer awareness month at the National City Bank Building for a 31 day period.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to install three (3) 100 square foot Special Event Signs for breast cancer awareness month at the National City Bank Building for the entire month of October. Section 85.03.01 of the Troy Sign Ordinance limits the time for the display of Special Event Signs to not more than seven (7) days.

Mr. Vandersloot was present and stated that they wish to hang banners during the month of October, which has been designated as "National Breast Cancer Awareness" month. This is a nationwide project. The background of the banners will be the same color as the building so that only the ribbon will be visible and will be softly lit by LED lighting. The only contrast will be the pink ribbon on the sign. Mr. Vandersloot stated that the owners of the building live two blocks to the west of the Top of Troy and think this is a very good idea.

Mr. Stimac pointed out that although the petitioner had requested this variance be approved for the same time, annually, until the year 2010, the Board did not have the power to grant a variance for this period of time and the request would have to be re-visited yearly. Mr. Stimac asked for a clarification in the lighting process.

Mr. Vandersloot stated that they would be externally illuminated. The lighting will be about 8' – 10' in front of the panel and will be kept below the existing parapet. The lighting will be very soft. In other states the entire buildings are lit up, but they felt this would be more acceptable for this area.

ITEM #5 – con't.

Mr. Stimac explained that other signage on the building is internally illuminated. Over all, the size of the banner is 9' x 22'. The size of the actual ribbon was used in determining the size of the sign.

The Chairman opened the Public Hearing.

Mr. Randy Cunningham was present to represent the owners of the building and stated that they have no objections to this request. This is an event that they have done nationally.

No one else wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Motion by Kessler
Supported by Roberts

MOVED, to grant Steve Vandersloot, 755 W. Big Beaver, relief of Chapter 85 to install three (3) 100 square foot Special Event Signs for breast cancer awareness month at the National City Bank Building for the entire month of October.

- Variance is not contrary to Public Interest.
- Variance is for 2007 only.
- Variance would not have an adverse effect to surrounding property.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

The Building Code Board of Appeals meeting adjourned at 9:10 A.M.

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Ted Dziurman, Chairman

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Pamela Pasternak, Recording Secretary