Acting Chair Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:20 p.m. on November 4, 2015 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Members Present
Gary Abitheira
Brian Kischnick
Michael Morris

Members Absent
Theodore Dziurman, Chair
Andrew Schuster

Support Staff Present:
Mitch Grusnick, Building Official/Code Inspector
Allan Motzny, Assistant City Attorney
Kathy L. Czarnecki, Recording Secretary

Also Present:
Attached and made a part hereof is the signature sheet of those present and signed in at this meeting.

2. APPROVAL OF MINUTES

Moved by: Kischnick
Support by: Morris

RESOLVED, To approve the minutes of the October 7, 2015 Regular meeting as submitted.

Yes: All present (3)
Absent: Dziurman, Schuster

MOTION CARRIED

3. HEARING OF CASES

A. **VARIANCE REQUEST, TINA PRIESKORN FOR PARAMOUNT FENCE, 2165 WOODINGHAM** – This property is a double front corner lot. As such it has a 30 foot required front setback along both Woodingham and Colonial. The petitioner is requesting a variance to install a 4 foot high non-obscuring fence set back 1 foot along the Colonial property line and a 6 foot high rear yard privacy fence set back 1 foot from the Colonial property line where City Fence Code limits fences to 30 inches high and non-obscuring.

Mr. Grusnick reported the department received no written responses to the public hearing notices.

Property owner Julie Rochowiak informed the Board the height of all of the fencing would be 4 feet. The application submitted by the fence company was in error stating the rear fence would be 6 feet high.

Mr. Abitheira opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Kischnick
Support by: Morris

RESOLVED, To grant the variance request as corrected for an 18-inch variance in fence height, for the following reason:

1. The proposed fence is transparent.

Yes: All present (3)
Absent: Dziurman, Schuster

MOTION CARRIED

B. **VARIANCE REQUEST, KEYI XING AND YUAN CHI, 5917 MARBLE** – This property is a double front corner lot. As such it has a 30 foot required front setback along both Marble and Marble Court. The petitioner is requesting a variance to install a 4 foot high vinyl obscuring fence, set back 10 feet along the Marble Court property line where City Fence Code limits fences to 30 inches high and non-obscuring.

Mr. Grusnick reported the department received one written response in opposition of the variance request.

Property owner Keyi Xing was present.

Mr. Abitheira opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Morris
Support by: Kischnick

RESOLVED, To grant the variance as requested, for the following reason:

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 83.

Yes: All present (3)
Absent: Dziurman, Schuster

MOTION CARRIED

C. **VARIANCE REQUEST, PATRICK DEPA FOR INTERNATIONAL OUTDOOR, INC., 1125 NAUGHTON** – The petitioner is requesting relief of the Sign Code to install a 70 foot tall, 1,608 square foot ground sign set back 0 feet from the property line adjacent to I-75 and 148 feet from the property line adjacent to Naughton, and less than 1,000 feet from any sign exceeding 100 square feet in area. The following variances are requested:

- A 200 foot variance to the required 200 foot setback from the adjacent I-75 property line.
- A 52 foot variance to the required 200 foot setback from the adjacent Naughton property line.
- A 1308 square foot variance from the requirement that the sign not exceed 300 square feet in area.
- A 45 foot variance from the requirement that the sign not exceed 25 feet in height.
- A 625 foot variance from the requirement that the sign be located at least 1,000 feet from any sign exceeding 100 square feet in area.

D. **VARIANCE REQUEST, PATRICK DEPA FOR INTERNATIONAL OUTDOOR, INC., PARCEL ON AUSTIN (88-20-26-401-056), ASSOCIATED WITH 1705 AND 1709 AUSTIN** – The petitioner is requesting relief of the Sign Code to install a 70 foot tall, 1,608 square foot ground sign set back 0 feet from the property line adjacent to I-75, and less than 1,000 feet from any sign exceeding 100 square feet in area. The following variances are requested:

- A 200 foot variance to the required 200 foot setback from the adjacent I-75 property line.
- A 1308 square foot variance from the requirement that the sign not exceed 300 square feet in area.
- A 45 foot variance from the requirement that the sign not exceed 25 feet in height.
- A 425 foot variance from the requirement that the sign be located at least 1,000 feet from any sign exceeding 100 square feet in area.

Agenda items C and D were considered concurrently.

Mr. Grusnick reported the department received one written response in opposition to 1705 and 1709 Austin and one written response in opposition to 1125 Naughton.

Present were:

- Randy Oram, International Outdoor, Inc., President
- Patrick Depa. International Outdoor, Inc., Real Estate/Certified Planner
- Jim Renshaw, Giffels Webster, Traffic Engineer

Mr. Abitheira opened the floor for public comment.

- Jim Ellison, 1309 Mohawk, Royal Oak, present on behalf of 1750 Austin; spoke in opposition.
- Jodie Ellison, 1309 Mohawk, Royal Oak; business owner of 1750 Austin (Play & Stay Pet Center); spoke in opposition.
- Kevin Mancier, 852 Lynhaven Court, Rochester Hills, on behalf of C&C Grinding, 1685 Austin; spoke in opposition.
- Derek Dickow, 6476 Orchard Lake Road, West Bloomfield; identified and submitted written correspondence from numerous business owners in support.
- Steve Shaya, International Outdoor Inc., 28423 Orchard Lake Road, Farmington Hills; spoke in support.

Moved by: Abitheira
Support by: Kischnick

RESOLVED, To table the items to a Special meeting of the Board on November 18, 2015 at 3:00 p.m.* and to keep the public hearing open.

Yes: All present (3)
Absent: Dziurman, Schuster

MOTION CARRIED

** During process of preparing minutes, meeting time changed to 10:00 a.m. due to time conflict of Board members' schedules.*

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS

A. 2016 MEETING DATES – Item postponed to December 2, 2016 meeting.

7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 4:40 p.m.

Respectfully submitted,

_____

Gary Abitheira, Acting Chair

_____

Kathy L. Czarnecki, Recording Secretary

G:\Building Code Board of Appeals Minutes\2015\Draft\2015 11 04 Regular Meeting_Draft.doc

BUILDING CODE BOARD OF APPEALS SIGN-IN SHEET

November 4, 2015

NAME (PLEASE PRINT)	*ADDRESS*
Keyi Xing	5917 Marble dr.
Jim & Jodie Ellison cmellison@romi.gov	1309 MOHAWK ROYAL OAK 48067
DEREK DICKOW	6476 ORCHARD LK RD WB. 48322
RANDY ORAM	[redacted] 28423 ORCHARD LAKE RD. SUITE 200
PATRICK DEPA	
STEVE SHAVA	FARMINGTON Hill, MI
JIM RENSHAW	Giffels Webster – Detroit
~~STEVE SHAVA~~	
Julie Rochowiak	2165 Woodingham Troy MI
Kevin Mancik	852 Lynhaven ct. Rock Hills MI