Acting Chair Abitheira called the Special meeting of the Building Code Board of Appeals to order at 10:03 a.m. on November 18, 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. HEARING OF CASES

A. **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.

B. **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 A and B were presented and discussed concurrently.

Present were:

- Randy Oram, International Outdoor, Inc., President
- Patrick Depa. International Outdoor, Inc., Real Estate/Certified Planner

Mr. Abitheira opened the floor for public comment.

- Dean Fitzpatrick, 1125 Naughton, Troy; spoke in opposition.
- Derek Dickow, 6476 Orchard Lake Road, West Bloomfield; submitted written correspondence from Ronny Eid of Troy Real Estate One, in support.
- Brian Tomina of Aqua Tots, 845 E. Big Beaver, Troy; spoke in support.
- Kristie Mancier, 1685 Austin, Troy; spoke in opposition.

Mr. Abitheira closed the floor for public comment.

Mr. Kischnick asked the record to reflect his opinion that the Building Code Board of Appeals is not the appropriate Board to make a decision on the variance requests because of the magnitude of the proposed signs. He feels the proposed signage is both a policy-making and community value issue.

Moved by: Morris
Support by: Abitheira

***RESOLVED***, To deny the variance requests for both properties, for the following reasons:

1. The applicant has not proved the variance would not be contrary to the public interest or general purpose and intent of Chapter 85.
2. The applicant has not proved the variance does not adversely affect properties in the immediate vicinity.
3. The applicant has not proved a hardship or practical difficulty.

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

**MOTION CARRIED**

3. ADJOURNMENT

The Special meeting of the Building Code Board of Appeals adjourned at 10:45 a.m.

Respectfully submitted,

Gary Abitheira, Acting Chair

Kathy L. Czarnecki

Kathy L. Czarnecki, Recording Secretary

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**BUILDING CODE BOARD OF APPEALS SIGN-IN SHEET**
*November 18, 2015*

| NAME (PLEASE PRINT) | ADDRESS |
|---|---|
| DEAN FITZPATRICK | 1125 NAUGHTON TROY |
| Kristie Mancier | 1685 Austin |
| Brian Tomina Tomina | 845 E. Big Beaver |
| DEREK DICKOW | 6476 ORCHARD LK RD W.B. |
| RANDY ORAM | 28423 ORCHARD LK #200 FARM. HILLS |
| PATRICK DePA | 28423 ORCHARD LK #200 FARM HILLS |
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| NAME (PLEASE PRINT) | ADDRESS |

**BUILDING CODE BOARD OF APPEALS MEETING SIGN-IN SHEET**
*November 18, 2015*