Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on August 3, 2016 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Members Present
Theodore Dziurman, Chair
Amanda Anderson
Brian Kischnick
Andrew Schuster

Members Absent
Gary Abitheira

Support Staff Present:
Mitch Grusnick, Building Official/Code Inspector
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: Schuster
Support by: Anderson

RESOLVED, To approve the minutes of the July 6, 2016 Regular meeting as submitted.

Yes: All present (4)
Absent: Abitheira

MOTION CARRIED

3. HEARING OF CASES

A. **VARIANCE REQUEST, BRIAN FARRELL, 984 BRIDGE PARK** – This property is a double front setback corner lot. As such it has required front setbacks from both Bridge Park and Crooks. The petitioner is requesting a variance to install a 6 foot high obscuring fence in the Crooks front setback, where City Fence Code limits fences to non-obscuring 30 inches high.

Mr. Grusnick reported the department received no written responses to the public hearing notices. He addressed the change in the application as relates to the setback along Crooks because of the existing greenbelt easement.

The applicant Brian Farrell was present.

Chair Dziurman opened the floor for public comment.

Bob Brown, 937 Bridge Park, said there's not one fence along Crooks from South Boulevard to Square Lake. He expressed a concern that a precedent would be set.

The floor was closed.

Moved by: Schuster
Support by: Kischnick

RESOLVED, To grant the variance to install a 6 foot high obscuring fence 18 feet set back from the property line that parallels Crooks, for the following reason:

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

Discussion on the motion on the floor.

Mr. Kischnick proposed to amend the motion subject to the applicant planting arborvitae in the open area.

Mr. Schuster agreed.

Motion on the floor, as amended.

RESOLVED, To grant the variance to install a 6 foot high obscuring fence 18 feet set back from the property line that parallels Crooks with a condition the applicant plants arborvitae in the open area, for the following reason:

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

Yes: Anderson, Kischnick, Schuster
No: Dziurman
Absent: Abitheira

MOTION CARRIED

Chair Dziurman said he opposes because the fence is too high.

B. **VARIANCE REQUEST, JOE GLASER FOR LOWE'S HOME IMPROVEMENT, 612 BARCLAY** – This property is a double front setback corner lot. As such it has required front setbacks from both Barclay and Cypress. The petitioner is requesting a variance to install a 6 foot high obscuring fence set back 25 feet along the Cypress property line. City Fence Code limits fences at this location to non-obscuring 48 inches high.

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

Present were the applicant Joe Glaser of Lowe's Home Improvement and property owner Darla Oyama.

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

Moved by: Anderson
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: Anderson, Kischnick, Schuster
No: Dziurman
Absent: Abitheira

MOTION CARRIED

C. **VARIANCE REQUEST, ROBERT MOORHOUSE FOR R. E. MOORHOUSE AND ASSOCIATES, INC., 900 TOWER** – A variance from the Sign Code to allow installation of two 335 square foot wall signs on a building that has two 206 square foot wall signs. The Sign Code allows one wall sign.

Mr. Grusnick reported the department received no written responses to the public hearing notices. Mr. Grusnick addressed variances previously granted on the property.

Present were the applicant Robert Moorhouse and Anthony Antone of Kojaian Companies.

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

Moved by: Kischnick
Support by: Schuster

RESOLVED, To grant the variance as submitted due to the wisdom of the people who came before this Board, and because it was granted, and the uniqueness of this lot and the building.

Yes: All present (4)
Absent: Abitheira

MOTION CARRIED

D. **VARIANCE REQUEST, ED PHILLIPS FOR PHILLIPS SIGN & LIGHTING, 1819-1925 E BIG BEAVER and 3125 JOHN R** – Variances from the Sign Code to allow 1) the installation of two additional 85 square foot ground signs; and 2) enlargement of two existing ground signs to 248 square feet each. The Sign Code allows two ground signs on the property. Variances were previously granted to allow the three existing ground signs.

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

Present were Rebecca Godin representing Phillips Sign & Lighting Inc. and Dennis Bostick representing Troy Sports Center. Ms. Godin distributed an illustration of the property setbacks.

Chair Dziurman acknowledged there was no one present to speak.

Moved by: Kischnick
Support by: Anderson

RESOLVED, To grant the variance as requested due to the unique circumstances of this lot which is a campus setting.

Yes: All present (4)
Absent: Abitheira

MOTION CARRIED

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS

7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:35 p.m.

Respectfully submitted,

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Theodore Dziurman, Chair

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Kathy L. Czarnecki, Recording Secretary

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