

Acting Chair Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:06 p.m. on September 7, 2016 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Members Present
Gary Abitheira
Amanda Anderson
Andrew Schuster

Members Absent
Theodore Dziurman, Chair
Brian Kischnick

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: Anderson
Support by: Schuster

RESOLVED, To approve the minutes of the August 3, 2016 Regular meeting as submitted.

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

MOTION CARRIED

3. HEARING OF CASES

A. VARIANCE REQUEST, TERRY GLADSTONE FOR ACTION FENCE OF MICHIGAN, 2649 KENWYCK – This property is a double front setback corner lot. As such it has required front setbacks from both Kenwyck and Danbury. The petitioner is requesting a variance to install a 6 foot high obscuring fence in the Danbury front setback, where City Fence Code limits fences to non-obscuring 30 inches high.

Mr. Grusnick reported the department received one written response to the public hearing notices and he had a verbal discussion with the homeowner at 4842 Danbury.

Present were the applicant Terry Gladstone and the property owner Nick Piersinski.

Mr. Piersinski said after talking with neighbors, they propose to reduce the fence height to 4 feet along Danbury and up to the front façade of the home at 4842 Danbury, then transition to a 6 foot high privacy fence on the back side. Mr. Piersinski said the fence would be a shadowbox-style obscuring fence. He circulated (1) a picture of the revised plan and (2) a letter signed by the property owners at 4842 Danbury stating their agreement with the revised plan.

Mr. Grusnick stated the application as revised would require a variance for the 4 foot high obscuring fence along Danbury and a variance would not be required for the privacy fence along the rear.

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

Moved by: Schuster
Support by: Anderson

RESOLVED, To grant the variance request subject to the modifications heard at this meeting, which is to install a 4 foot high obscuring fence along the Danbury property line at a minimum of 5 feet from the sidewalk, 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, Kischnick

MOTION CARRIED

- B. **VARIANCE REQUEST, KEVIN J. KMET FOR UNITED SHORE FINANCIAL SERVICES LLC, 1414 EAST MAPLE** – To allow the installation of 2 wall signs each measuring 262 square feet, where the Sign Code allows only 1 wall sign. Variances were previously granted to allow the 5 existing wall signs. The 2 signs will be removed within 6 months of installation.

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

Present to represent United Shore Financial Services were Kevin Kmet, Barbara Yolles and Laura Lawson.

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

Moved by: Anderson
Support by: Schuster

RESOLVED, To grant the variance request, for the following reasons:

- 1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 85; and
- 2. The signs are temporary in nature.

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

MOTION CARRIED

- C. **VARIANCE REQUEST, WARREN HUDSON FOR FRIEDMAN MANAGEMENT COMPANY, 700 TOWER** – A variance from the Sign Code to allow installation of a 554 square foot ground sign adjacent to the I-75 property line. The 2 existing ground signs will be retained. The Sign Code allows 2 ground signs. Ground signs are limited to a maximum size of 200 square feet.

Mr. Grusnick reported the department received no written responses to the public hearing notices. He clarified how the City determined the computation of the square footage of the sign.

Present were Warren Hudson and Stan Finsilver of Friedman Management Company. They addressed signage from the I-75 expressway, existing foliage and topography. The applicant was amicable to redesigning the base and thickness of the sign so that the overall square footage of the sign would be reduced.

Acting Chair Abitheira acknowledged there was no one present to speak.

Moved by: Abitheira
Support by: Anderson

RESOLVED, To grant a variance to allow a third ground sign adjacent to the I-75 property line, subject to a maximum size of 200 square feet, a maximum height of 25 feet and a minimum setback of 30 feet, for the following reasons:

- 1. The property is sided by three major roads.
- 2. The property is permitted to have three signs.

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

MOTION CARRIED

- D. **VARIANCE REQUEST, WARREN HUDSON FOR FRIEDMAN MANAGEMENT COMPANY, 800 TOWER** – A variance from the Sign Code to allow installation of a 554 square foot ground sign adjacent to the I-75 property line. The 2 existing ground signs will be retained. The Sign Code allows 2 ground signs. Ground signs are limited to a maximum size of 200 square feet.

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

Present were Warren Hudson and Stan Finsilver of Friedman Management Company. They addressed limited locations to place the sign, existing foliage and topography. The applicants were amicable to placing the sign in an existing parking space.

Acting Chair Abitheira acknowledged there was no one present to speak.

Moved by: Abitheira
Support by: Schuster

RESOLVED, To grant a variance to allow a third ground sign adjacent to the I-75 property line, subject to a maximum size of 200 square feet, a maximum height of 25 feet and a minimum setback of 30 feet from the I-75 right of way, for the following reason:

- 1. The property is a double-fronted property.

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

MOTION CARRIED

4. **COMMUNICATIONS**

None.

5. **PUBLIC COMMENT**

None.

6. **MISCELLANEOUS BUSINESS**

None.

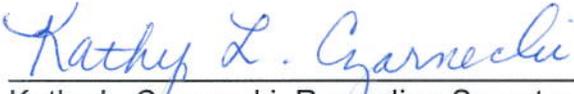
7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:55 p.m.

Respectfully submitted,



Gary Abitheira, Acting Chair



Kathy L. Czarnecki, Recording Secretary

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