The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M. on Wednesday, April 2, 2008 in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Ted Dziurman
Rick Kessler
Keith Lenderman
Tim Richnak
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 MARCH 5, 2008

Motion by Kessler
Supported by Richnak

MOVED, to approve the minutes of the meeting of March 5, 2008 as written.

Yeas: All - 5

MOTION TO APPROVE MINUTES CARRIED

ITEM #2 – VARIANCE REQUEST. VASILE CARSTEA, 5353 LIVERNOIS, for relief of Chapter 83 to install entrance gates at 5353 Livernois, St. Nicholas Romanian Orthodox Church.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 83 to install entrance gates at 5353 Livernois. The site plan submitted indicates installing entrance gates at the north (Stalwart) and east (Livernois) driveways to the parking lot. The north gates are proposed to be 8'-10 ½" in height. The proposed east gates are shown to be 8'-6 ½" in height with decorative supporting columns and an archway up to 9'-4" in height. Chapter 83 limits the heights of the gates and support columns to a 6' maximum in R-1B Zoning Districts.

This item first appeared before this Board at the meeting of March 5, 2008 and was postponed until today's meeting to allow the petitioner to appear before the Board of Zoning Appeals regarding a variance request for the width of the driveways, and to allow the petitioner the opportunity to contact fence contractors to determine if these gates could be modified. On March 18, 2008, the Board of Zoning Appeals granted the request of the petitioner to reduce the width of the driveways.

Mr. Carstea indicated that his Engineer was stuck in traffic and Mr. Dziurman moved this item to the end of the Agenda, Item #6.

ITEM #3 – VARIANCE REQUEST. GLEN RUTHER, REPRESENTING THE BEACHWOOD SWIM CLUB, 3365 JACK, for relief of Chapter 83, the Fence Ordinance to install an 8' high chain link fence.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 83 to install an 8' high chain link fence. The site plan submitted indicates the installation of an 8' high chain line fence along portions of the north, south and east property lines at 3365 Jack. Chapter 83 limits the maximum height of fences in residential zoning to 6'.

Mr. Glen Ruther, the president of the Beachwood Swim Club Board, and Mr. Marc Chamberlin of Ehrsman Associates were present. Mr. Ruther indicated that there are four hundred and fifty (450) family members to the Beachwood Swim Club at this time. Membership is not limited to the residents of the subdivision but is open to anyone that wishes to join. They are proposing to remove the existing fence and install a new fence on the berm. This will enable them to put in a couple of picnic tables, and to enlarge the area that children can play in. The new fence is proposed to be black vinyl and will not be as visible as the present fence. Presently, the existing fence is 8' high around the pool area and they just wish to move it back. Mr. Ruther had spoken to the neighbors and the Management Company and they have indicated that they approved of this request.

Mr. Dziurman asked if a previous variance had been granted for the 6' high fence.

Mr. Stimac stated that the Building Department has been unable to locate any record of a variance being granted, however this site was part of a Consent Judgment for Sheffield Office Park and he believes it may have been part of the Consent Judgment.

Mr. Richnak stated that there was one written objection from the homeowner at 2195 Babcock and asked Mr. Ruther if he had addressed his concerns.

Mr. Ruther stated that he was unaware of the objection, but would be more than happy to address the concerns of this homeowner.

Mr. Richnak gave Mr. Ruther a copy of the objection and indicated that the homeowner wanted to see the location of the proposed fence and had asked if an 8' high fence was necessary.

Mr. Ruther said that presently there is a 6' high black vinyl fence around the tennis courts and this fence will be the same material as that existing fence. Mr. Ruther also stated that he does believe an 8' high fence is necessary as any 6' tall person would not have any difficulty in climbing the 6' high fence.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written objection on file. There are no written approvals on file.

ITEM #3 – con't.

Mr. Kessler asked if the existing fence was going to be removed.

Mr. Chamberlin stated that the 6' high fence will be removed from the main pool area; however, the baby pool will remain fenced in.

Mr. Kessler expressed concern that the play area would be open to the pool area and asked if there was a lifeguard on duty. Mr. Kessler also stated that the City requires that a fence that encloses a pool has self-latching gates.

Mr. Ruther stated that they did have a lifeguard on duty the entire time the pool was open. Mr. Ruther went on to say that they have to undergo inspection by the County before the pool is opened and believes that these concerns would be addressed at that time. Furthermore, the play area will be more on the grassy area.

Mr. Kessler stated that he believes the play areas should be segregated from the pool area with a fence.

Mr. Ruther stated that the "kiddie pool" would still have the fence around it.

Mr. Kessler said that he would be opposed to this request to increase the play area without a 4' high fence separating it from the pool area.

Mr. Stimac stated that he believes Mr. Kessler is referring to the main pool area.

Mr. Ruther said that they had looked at other pools in the area and are trying to do the same thing.

Mr. Kessler said that the pools should be segregated from the tennis courts, play area, etc.

Mr. Zuazo asked about the location of the gates.

Mr. Ruther pointed out where the gates were located. There are four gates and they are self-latching.

Mr. Kessler asked if there was a problem for the petitioner to put a fence on the easement.

Mr. Stimac stated that he had reviewed the plan with the Parks and Recreation Department and they have no objection to putting the fence on the berm. Furthermore, there is nothing in the Consent Judgment prohibiting the fence on the hill.

Mr. Kessler asked if the additional 2' height in the proposed fence would add to the security around this area.

ITEM #3 – con't.

Mr. Ruther stated that he believes this would make a big difference. Recently a homeless man got into the area, but left after finding out that there was no running water. Other break-ins have involved kids that jump the fence and use the pool after hours. Once the neighbors hear them they usually call the police and the situation is handled.

Motion by Kessler
Supported by Richnak

MOVED, to grant Glen Ruther, representing the Beachwood Swim Club, 3365 Jack, relief of Chapter 83, the Fence Ordinance to install an 8' chain link fence where 6' high maximum is permitted.

- 4' high fence to be maintained to separate the pool areas from the play area.
- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #4 – VARIANCE REQUEST. DONALD ROOT, 621 W. LONG LAKE, WHITE CHAPEL CEMETERY, for relief of Chapter 83 to construct a new 12' high masonry wall along east property line as part of the new mausoleum and garden area at the White Chapel Cemetery.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 83 to construct a new wall along the east property line as part of the new mausoleum and garden area at the White Chapel Cemetery. This property is located in the R-1B (One-Family Residential) Zoning District. Section 2A of the Fence Ordinance limits the height of fences in residential districts to not more than 6' in height. The site plan submitted indicates a 12' high masonry wall (fence) along a portion of the east property line along the I-75 right of way.

Mr. Dziurman asked if there were sound walls constructed along I-75.

Mr. Stimac stated that he was not aware of any sound walls in Troy along I-75.

Mr. Dennis Cowan of Plunkett & Cooney, Mr. Don Root of Integrated Design and Mr. David Krall were present representing White Chapel Cemetery. Mr. Cowan thanked Building Department staff for their help with the application to the Board of Zoning Appeals and informed the Board that they had received site plan approval from the Planning Commission. Mr. Cowan explained that they plan to add cremation gardens,

ITEM #4 – con't.

which will hold its' own over time. The reason they want it in this location to add symmetry to the mausoleum. This area would be a meditative setting and they wish to add this wall in order to reduce the noise coming from the traffic along I-75. The wall will not run the entire length of the property, but would be about 155' long. White Chapel Cemetery is located in R-1 Zoning and originally White Chapel owned the property that is I-75. The State obtained the property from White Chapel to construct I-75. White Chapel has been in this location since 1925.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are two (2) written approvals on file. There are no written objections on file.

Mr. Dziurman asked if this wall was going to be a masonry wall.

Mr. Root explained that they were planning to use 16" x 12" blocks that look like limestone in an effort to match it to the mausoleum.

Mr. Dziurman asked how far ground burials are from the freeway right of way.

Mr. Root stated that right now they are on the property line. They can do burials up to the property line.

Mr. Zuazo asked what would happen to the landscaping if the wall is right up to the property line.

Mr. Root said that they plan to soften the look of the wall with trees and vegetation.

Mr. Richnak asked what the grade of I-75 was and how it compared to the proposed 12' height of the wall.

Mr. Root said that because there is a slope on I-75 and Long Lake and believes the height of the wall and the grade will be very close. They are trying to shield the expressway as much as possible.

Mr. Richnak asked about the height of the wall.

Mr. Root said that it goes from 7' to 12' and the way the garden is laid out they are building up the earth next to the wall. The planting area will be built up next to the wall.

Mr. Kessler asked how long this plan for the garden was in existence.

Mr. Root stated that three years ago the new mausoleum was already built when they went to the Planning Commission. The garden became a new thought very recently.

ITEM #4 – con't.

Mr. Krall stated that the cremation rate right now is at 35% and is rising. There is a growing desire for cremations and they want to be able to offer their cremation families as much as they can.

Mr. Kessler said that this did not seem like a good area to put these walls and asked if they had looked into other alternatives besides putting up a wall. Mr. Kessler suggested that landscaping may act as a better sound barrier than the wall.

Mr. Root said that if they put in too much landscaping they will be losing areas in which to do burials. These niche walls will be used as burial sites.

Mr. Kessler asked how they came up with the 12' height rather than something lower.

Mr. Root said that they felt this height was needed because of the way I-75 is graded.

Mr. Kessler asked if someone had done a study regarding the sound from I-75.

Mr. Root said that they did not do a sound study.

Mr. Richnak said that he does not believe MDOT would be opposed to the petitioner planting trees on the side of the wall facing I-75. If this Board was to move forward with this request, Mr. Richnak would like the petitioner to contact MDOT in order to get approval to put in more vegetation or look at having the wall gradually step down.

Mr. Kessler suggested that the petitioner look at moving the wall in 6' to 10' and adding more landscaping so that it would provide a buffer year round. Mr. Kessler would like to see a uniform appearance on both sides as he thinks this wall will make it look like an industrial site. Mr. Kessler said that he is not sure that wall on the property line is something that he would desire for Troy.

Mr. Root stated that the grade of I-75 is very high going over Long Lake and traffic would not be able to see the property line. The property line is not visible to people driving north on I-75 at all.

Motion by Kessler
Supported by Richnak

MOVED, to grant Donald Root, 621 W. Long Lake, White Chapel Cemetery, relief of Chapter 83 to construct a new 12' high masonry wall along the east property line as part of the new mausoleum and garden area at White Chapel Cemetery.

- Grade of the freeway in this area will make the wall less conspicuous.
- Petitioner is to contact MDOT to get approval to put plants in the right of way next to I-75 adjacent to the wall.

ITEM #4 – con't.

- Variance is not contrary to public interest.
- Variance will not have a negative effect to surrounding property.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #5 – VARIANCE REQUEST. SIGNGRAPHIX, 44201 DEQUINDRE, for relief of Chapter 85, the Sign Ordinance, to erect six (6) wall signs and three (3) ground signs totaling 744.47 square feet.

Mr. Stimac explained that the petitioner is representing William Beaumont Hospital and is seeking relief of Chapter 85 to erect six (6) wall signs and three (3) ground signs totaling 744.47 square feet. Chapter 85.02.05 (C) (2) allows a maximum of two ground signs, one not exceeding 100 square feet in area, the other not exceeding 36 square feet in area for developments in the Community Facility Zoning District. The plans submitted indicate removing all existing ground and wall signs and installing nine (9) new signs.

Mr. Bill Lutz and Mr. Keith Murray of Signgraphix were present and Mr. John Rogers of Beaumont Services was also present. Mr. Lutz stated that there are a number of signs that are going to be removed and not replaced.

Mr. Dziurman asked if there were going to be more or less signs than currently in place.

Mr. Lutz stated that there would be more. This is a growing campus and right now it is a 400 bed hospital. A new tower is being planned but is not under construction at this time. This site is unique in that it is separated by Dequindre Road. There are 46 acres on the Troy side and 40 acres are located in Sterling Heights. A pedestrian overpass is being constructed over Dequindre Road to link the two sites together. A mixed bag of services are offered and the purpose of the signs is to let people know what is offered and where. The Sterling Heights side offers a number of out-patient services and they are trying to route traffic in the most efficient way possible. Mr. Lutz said it is very difficult to identify a campus that is divided by a road.

Mr. Lutz gave an explanation of the signs they are proposing. They wish to put a "gateway" sign with the international symbol for emergency on the north side of the site, and they would like to put a second "gateway" sign at the extreme south side of the site to indicate that people are on the Beaumont campus. Basically, the three (3) new signs are the "gateway" signs on the north and south sides of the site and a directional sign just at the main entrance to the hospital. Other signs are on the Emergency canopy and another sign on the north wall with the Beaumont logo. The very large ground sign on the east side of the site will be removed and not replaced. Everything else is pretty

ITEM #5 – con't.

much the same. The parking sign will be on the parking deck, which is primarily for patients and visitors. The ground parking lots are for staff.

The southbound "gateway" sign will also have a sign indicating the Emergency entrance with an arrow. The new square footage will be the column that goes up. Directional sign to the main entrance will replace the existing sign.

Mr. Dziurman asked for a clarification on the southern sign.

Mr. Lutz stated that the "gateway" sign has a new column. Mr. Lutz also said that they are trying to simplify and keep the signs cleaner. The southernmost sign is to let people know that they are entering the Beaumont Campus. The primary directional sign and the parking sign are to identify the parking deck. There is a lot of signage and they want to provide people with information on the correct place to go and it helps to eliminate people going into the wrong drive. People don't always act normally during times of high stress and they are hoping to eliminate the stress of finding the correct place to be.

Mr. Kessler asked if the International symbol was on one or both "gateway" signs.

Mr. Lutz said that it was only on the pillar sign at the emergency entrance.

Mr. Kessler asked if the petitioner feels the need to provide the same type of sign on the south end of the site.

Mr. Lutz said that ideally the signs will be directly opposite each other - one on the Troy side and the other on the Sterling Heights side.

Mr. Kessler stated that he has used this facility over the years but is not keen on the southern "gateway" sign on Dequindre.

Mr. Lutz stated that he understands that as normally you do not see this type of sign on a main road. Unfortunately this is a split campus and he feels it is important to let people know where they are.

Mr. Kessler said that large campuses dictate the need to send out information packets to new patients. The southern "gateway" sign on Dequindre may make people think that this is where they are supposed to turn. Mr. Kessler stated that he did not have a problem with the pillar to the north, but did see a problem with the pillar to the south.

Mr. Lutz stated that they had shifted the size of the main Beaumont directional signs as the word Beaumont is very small. They are not putting a lot of information on these signs.

ITEM #5 – con't.

Mr. Kessler stated that he knew the signs were illuminated and expressed concern that this illumination would create issues with the residents in this location.

One of the Board members asked if there were any complaints on file regarding signage at this location.

Mr. Evans stated that he did not have any complaints.

Mr. Richnak asked if the southernmost sign was illuminated.

Mr. Lutz stated that the words Beaumont and Emergency were back lit.

Mr. Richnak said that Dequindre is not an entry way into the complex and has a problem with the pillar on the south side of the site. Mr. Richnak understands the need to let people know what is on the site, but also believes that people in the surrounding area know that Beaumont signifies a hospital. Mr. Richnak asked if traffic on M-59 would be able to see the signs.

Mr. Lutz said that he thought the signs would be visible to traffic on M-59.

Mr. Richnak said that are a lot of trees and vegetation on the north side of the structure and asked if they were proposing to add more buildings on the north side of the property. Mr. Richnak stated that he was concerned about the signs on the back side of the area and asked if they were also proposing to add to the existing vegetation.

Mr. Lutz said that there is an existing sign for what is proposed to be a garden area and there will be a new sign at the west entrance.

Mr. Richnak said that he has a major concern with the pillar sign on the south side of the site.

Mr. Lutz said that the logo is visible to traffic on M-59 and they think the pillar signs are a long range identifier.

Mr. Richnak stated that he disagrees that the pillar sign is necessary and believes that the red Beaumont sign accomplishes identification.

Mr. Lenderman asked where the walkway was coming in.

Mr. Lutz stated that it is north of the middle sign and there will be an atrium between the two buildings.

Mr. Lenderman asked about the location of the second sign.

ITEM #5 – con't.

Mr. Lutz stated that the Sterling Heights sign will be directly across from the Troy sign. Mr. Lutz also indicated that Sterling Heights has given approval for the "gateway" sign.

Mr. Lenderman stated that he loves the pillar signs and believes it will greatly aid in locating the emergency room.

Mr. Stimac stated that looking at the photographs the petitioner provided it appears that the sign is directly across the street from a side street in Sterling Heights, which would be at Beaumont's extreme south property line. There is a house on the north side of the street in Sterling Heights.

Mr. Lutz stated that it is their intent to have the sign on the southernmost property line.

Mr. Stimac pointed out that there is approximately 180' more on the Troy side of this property then on the Sterling Heights side. Mr. Stimac also confirmed that the petitioner had not yet received approval for the signs from Sterling Heights.

Mr. Lutz said that Sterling Heights had given them verbal approval for the signs although they have not applied for permits at this time.

Mr. Kessler asked if they had looked into putting a sign on the other side of the drive.

Mr. Lutz stated that that is a one-way drive and is to be used as an exit only. During shift change there are a lot people leaving this area and there will be a MDOT sign that states "Do not enter".

Mr. Kessler stated that the location of the sign on one side of the drive or the other really doesn't matter.

Mr. Lutz said that it doesn't matter unless there is something there that would interfere with the placement of the sign.

Mr. Kessler said that he thinks it may make people think that this is where they have to turn in. The illumination of the pillar sign could be an area of concern. This site is referred to as a Beaumont facility and is surprised that the word hospital is not used.

Mr. Lutz said that because there are other services offered it was decided not to use the work hospital. There are a lot of people that don't know Beaumont and are not familiar with the campus. A number of people are confused about where to go. There are a number of services offered on an out-patient basis. Mr. Lutz said that he can understand how Mr. Kessler feels about the "gateway" sign, but Mr. Lutz feels it is an integral part of the identification process and will offer a subdued look. Mr. Lutz went on to say that there will be a bridge north of the gateway sign on the south and doesn't know if they could put the word Beaumont on the bridge.

ITEM #5 – con't.

Mr. Kessler said that he didn't mean for them to put a sign on the bridge and feels that the bridge itself will be noticeable and will become a landmark the same way the bridge between Somerset South and Somerset North is. Mr. Kessler said that he is not comfortable with the sign on the southernmost area of the site.

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. Dziurman asked where the garden entrance was.

Mr. Lutz said that it is on the south side of the property facing the pond.

Mr. Kessler said that the Board has always been in favor of allowing directional signs for people visiting this campus and believes they help with traffic on the site and on the roads.

Mr. Lutz said that he appreciates the comments and pointed out that they will be giving up the large Beaumont ground sign and feels the "gateway signs" are very helpful from an emergency standpoint. These signs are important for patients and visitors to this campus.

Mr. Dziurman stated that he feels more signs should be allowed compared to what the Ordinance allows.

Mr. Stimac said that presently there are two facilities of a campus type setting in the C-F Zoning District, Beaumont hospital and the Civic Center. Other developments in the C-F District are typically a church or a school. Mr. Stimac also said that it could be said that this development in the C-F Zoning District is different from the other buildings allowed in this Zoning District and officially is the only hospital in the City.

Mr. Dziurman said that if the Sign Ordinance is re-written more signs should be allowed.

Motion by Lenderman

MOVED, to approve the request of Signgraphix, 44201 Dequindre, for relief of Chapter 85, to erect six (6) wall signs and three (3) ground signs totaling 744.47 square feet.

Motion fails due to lack of support.

Mr. Richnak said that he is having a difficult time with the pillar on the south end of Dequindre but does think the pillar on the north side of the site is necessary and would be unique and offered an amendment to eliminate the pillar from the southern sign.

ITEM #5 – con't.

Motion by Richnak
Supported by Kessler

MOVED, to approve the request of Signgraphix, 44201 Dequindre, for relief of Chapter 85 to erect six (6) wall signs and three (3) ground signs.

- Base of the southern "gateway" sign, (#8 in the plans) is to remain the same.
- Top of pillar, on this sign cannot be more than 24" above the burgundy cabinet portion of the sign.
- North "gateway" sign (#6 in the plans) to remain as shown in petitioner's submittal.

Yeas: 4 – Kessler, Dziurman, Richnak, Zuazo
Nays: 1 – Lenderman

MOTION TO GRANT REQUEST CARRIED

Mr. Lenderman stated that he liked the looks of the pillar signs.

Mr. Richnak said that he agrees with that but not on Dequindre. Mr. Richnak believes you want to draw yourself to the Emergency entrance and does believe the northern sign needs the pillar.

Mr. Zuazo asked if the exit sign will block the site of people leaving that drive.

Mr. Lutz said that it will be setback far enough so that it will not impair anyone's vision.

Mr. Evans stated that there is a 10' setback from the property line.

Mr. Lenderman exited the meeting at 10:08 A.M.

ITEM #6 (ITEM #2) - VARIANCE REQUEST. VASILE CARSTEA, 5353 LIVERNOIS, for relief of Chapter 83 to install entrance gates at 5353 Livernois, St. Nicholas Romanian Orthodox Church.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 83 to install entrance gates at 5353 Livernois. The site plan submitted indicates installing entrance gates at the north (Stalwart) and east (Livernois) driveways to the parking lot. The north gates are proposed to be 8'-10 ½" in height. The proposed east gates are shown to be 8'-6 ½" in height with decorative supporting columns and an archway up to 9'-4" in height. Chapter 83 limits the heights of the gates and support columns to a 6' maximum in R-1B Zoning Districts.

ITEM #6 - con't.

This item first appeared before this Board at the meeting of March 5, 2008 and was postponed until today's meeting to allow the petitioner to appear before the Board of Zoning Appeals regarding a variance request for the width of the driveways, and to allow the petitioner the opportunity to contact fence contractors to determine if these gates could be modified. On March 18, 2008, the Board of Zoning Appeals granted the request of the petitioner to reduce the width of the driveways.

Mr. Dziurman asked if the petitioner wanted to put bars on the tops of the gates, which would increase the height of the pillars and stated that the Board wanted the petitioner to reduce the height of the gates.

Mr. Stimac asked if the proposed supports would be 9 ¼' in height as shown in the original request.

Mr. Carstea stated that the supporting bars would be at the top of the column.

Mr. Stimac explained that the fence as shown indicates that the archway and columns are at 9'-4" maximum.

Mr. Dziurman asked if there was a change in the drawings that the petitioner had submitted.

Mr. Stimac explained that the petitioner wants to keep the same design and height of the columns as shown in the original request with the gates having a structural support bar on them. It is the original request as proposed.

Mr. Zuazo asked if the issue regarding break away gates had been addressed.

Mr. Stimac stated that there is a box that will allow them access to the gates. Operation of locking devices is identical whether the gates are 6' or 4'.

Mr. Dziurman stated that the petitioner had already purchased the gates and didn't want to change the height of the gates.

Mr. Stimac said that at the last meeting this item was postponed for two reasons: One was so that the petitioner could go before the Board of Zoning Appeals for approval to reduce the width of the driveways. The Board of Zoning approved that request on March 18, 2008. The second reason for postponing this item was so that the petitioner could meet with his engineer to see if the gates could be modified.

Mr. Kessler asked if anyone had appeared before the Board of Zoning Appeals objecting to the request of the petitioner.

ITEM #6 – con't.

Mr. Stimac said that one homeowner did appear and was concerned about traffic backing up onto Livernois.

Mr. Dziurman asked why the height of the gates couldn't be reduced.

Mr. Isaac Sheppard, the engineer for the petitioner indicated that the height of the gates could be reduced, but this is not something they wish to do. Mr. Sheppard said that they did not think they would need a variance for these gates and it was an oversight on their part not to come to the City before they purchased the gates. They could have put up 6' high wooden gates, but they were trying to match these gates to the Church and if they have to reduce the height of the gates they will lose the ornamentation at the bottom of the gates.

Mr. Kessler stated that the original proposal was for columns that were equal to the height of the gates.

Mr. Stimac said that there are two separate gates with two different dimensions. The columns on Stalwart would be 6' high, and the columns on Livernois would be 9'-4" high.

Mr. Kessler asked if both gates were identical and wondered if the columns are independent of the gates. Mr. Kessler also asked what the need for the archway was.

Mr. Sheppard said that the columns were independent of the gates and the main reason for the archway was aesthetics.

Mr. Kessler said that he understands the concept of these decorative columns and archways and is not sure how they will look on the site. Mr. Kessler also indicated that he is not opposed to the gates.

Mr. Sheppard stated that it would be possible for them to take another look at the columns and come back to the Board with a revised plan. Mr. Sheppard also said that they would be more than willing to change the height of the archway and pillars.

Mr. Stimac said that the archway and pillars on the northern drive are proposed to be 6' high and if the petitioner agreed to change the height of the columns and archway on Livernois, a variance would not be required for the columns. Mr. Stimac also pointed out that at this time the columns have not been constructed and the gates already exist.

Mr. Dziurman asked if the petitioner would be willing to modify the height of the columns and archway.

Mr. Sheppard said that they would be willing to amend the height of the pillars to 6' in order to leave the gates the way they are.

ITEM #6 – con't.

Motion by Kessler
Supported by Richnak

MOVED, to grant Vasile Carstea, 5353 Livernois, relief of Chapter 83 to install 8'-10" high entrance gates at 5353 Livernois, St. Nicholas Romanian Orthodox Church.

- The height of the gates will remain as is shown in the original request.
- The height of the decorative supporting columns and archway will be reduced to 6' in height in both locations.
- Variance is not contrary to public interest.
- Variance will enable petitioner to provide security on this site.

Yeas: 4 – Dziurman, Kessler, Richnak, Zuazo
Absent: 1 – Lenderman

MOTION TO GRANT VARIANCE CARRIED

The Building Code Board of Appeals meeting adjourned at 10:26 A.M.

_____
Ted Dziurman, Chairman

_____
Pamela Pasternak, Recording Secretary