Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on January 2, 2013 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Members Present:
Theodore Dziurman, Chair
Gary Abitheira
Michael Carolan
Brian Kischnick

Members Absent:
Teresa Brooks

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: Abitheira
Support by: Carolan

***RESOLVED***, To approve the minutes of the December 5, 2012 Regular meeting as submitted.

Yeas: All present (4)
Absent: Brooks

**MOTION CARRIED**

3. HEARING OF CASES

A. **VARIANCE REQUEST, AFRAH ALBANNA FOR AUTOMOTIVE CASTLE, 1251 ROCHESTER** – A variance for relief of the Sign Code to place a third ground sign measuring 40 square feet in size on the property. Section 85.02.05 (C) limits the maximum number of ground signs on this parcel to two signs.

Mr. Grusnick briefly reviewed the request that was heard and postponed by the Board at their November 7, 2012 meeting. Mr. Grusnick reported the proposed sign location would fall within the Sunoco private easement. He said Sunoco confirmed they have no objections to the placement of the sign on their easement but they do request their presence on site during any excavation. Mr. Grusnick

said there are currently two signs on the property as well as one temporary sign. Should the applicant be granted to place a third sign, the temporary sign would be removed. Mr. Grusnick reported that the department received two written comments in response to the public hearing notice.

The applicant, Afrah Albanna of Automotive Castle, was present. Mr. Albanna gave a history of the property and existing signage. He said transferring his existing sign from the shared signage with his neighbor at 1263 Rochester Road (Horn Corporation) to a central location in front of his business would provide better wayfinding and building visibility.

Chair Dziurman opened the floor for public comment.

There was no one present who wished to speak.

Chair Dziurman closed the floor for public comment.

Chair Dziurman acknowledged receipt of two written comments; one objectionable comment from Snell's Storage and a favorable comment from Horn Corporation.

Mr. Albanna addressed his business relationship with Snell's Storage with respect to road access and signage.

Mr. Grusnick clarified the Mr. Horn's written comment specifically states he wants to retain full use of his existing sign for which he paid and received a permit.

There was discussion on the following:

- Uniqueness of site; multiple buildings as relates to frontage.
- Setback distance and requirements.
- Sunoco private easement.
  - Applicant only property owner affected.
  - Applicant to reach agreement with Sunoco on location of sign.
  - Applicant to coordinate Sunoco's presence on site during excavation.
- Snell's Storage; no frontage or property ownership.
- Code violations relating to outside storage/display/signage.
  - Whether variance granted or denied, applicant responsible to comply and will be cited for any code violations going forward.
- Due diligence at time of property purchase.
- Horn Corporation sign to remain as original size and in same location.
- Visibility of signs.
- Removal of temporary sign.

Moved by: Abitheira
Support by: Carolan

***RESOLVED***, To approve the variance request to place a third ground sign on the property at a 15 foot setback and beyond from the property line.

Yeas: All present (4)
Absent: Brooks

**MOTION CARRIED**

B. **VARIANCE REQUEST, PATTI FRANZ FOR AVER SIGN COMPANY, 4889 ROCHESTER** – A variance for relief of the Sign Code to place a ground sign measuring 200 square foot, set back 12.67 feet from the Rochester Road right-of-way line. Table 85.02.05 requires a 30 foot minimum setback for the proposed 200 square foot sign.

Mr. Grusnick gave a brief description of the request. He indicated the department received no comments in response to the public notice.

Terry Ulch of Aver Sign Company and Adam Crane of The Kroger Company were present.

Messrs. Ulch and Crane addressed the site plan approval and sign permit process as relates to the setback requirements prior to and after the Rochester Road right of way taking. They requested approval of the variance so that the sign could be installed as originally shown on plans approved by the Planning Commission and for clear visibility from a business standpoint.

There was discussion on:

- Sign size, dimensions, base of sign, setback requirements.
- Determination by Engineering Department that sign location would not be jeopardized by potential future right of way taking.
- Site plan approval; Zoning Ordinance requirements met.
- Standard sign for Kroger fuel stations.

Chair Dziurman opened the floor for public comment.

There was no one present who wished to speak.

Chair Dziurman closed the floor for public comment.

Moved by: Carolan
Support by: Abitheira

***RESOLVED***, To approve the variance as requested.

Yeas: All present (4)
Absent: Brooks

**MOTION CARRIED**

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS

Mr. Grusnick reported that one application has been received to date for the February meeting. He noted that the submittal deadline for the February meeting is January 16, 2013.

7. ADJOURNMENT

The Regular meeting of the Board of Building Appeals adjourned at 3:47 p.m.

Respectfully submitted,

Theodore Dziurman, Chair

Kathy L. Czarnecki, Recording Secretary

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## *BUILDING CODE BOARD OF APPEALS SIGN-IN SHEET*

*January 2, 2013*

| ***NAME*** ***(PLEASE PRINT)*** | ***ADDRESS*** |
|---|---|
| Terry Ulch (Aver Sign) | 358 Livernois Ferndale MI |
| Afrah Albanna (AutoCastle) | 1251 Rochester Rd. 48083 |
| Adam Crane (The Kroger Co.) | 40393 Grand River Ave., Novi, MI |
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