



# BUILDING CODE BOARD OF APPEALS REGULAR MEETING AGENDA

500 W. Big Beaver  
Troy, MI 48084  
(248) 524-3344  
[www.troymi.gov](http://www.troymi.gov)  
[planning@troymi.gov](mailto:planning@troymi.gov)

Theodore Dziurman, Chair; Gary Abitheira  
Teresa Brooks, Michael Carolan, Brian Kischnick

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January 2, 2013

3:00 PM

LOWER LEVEL  
CONFERENCE ROOM

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1. ROLL CALL
2. APPROVAL OF MINUTES – December 5, 2012
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.
  - 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.
4. COMMUNICATIONS
5. PUBLIC COMMENT
6. MISCELLANEOUS BUSINESS
7. ADJOURNMENT

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@troymi.gov](mailto:clerk@troymi.gov) or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on December 5, 2012 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Members Present:

Theodore Dziurman, Chair  
Gary Abitheira  
Teresa Brooks  
Michael Carolan  
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: Brooks  
Support by: Carolan

**RESOLVED**, To approve the minutes of the November 7, 2012 Regular meeting as submitted.

Yeas: All present (5)

**MOTION CARRIED**

3. HEARING OF CASES

A. **VARIANCE REQUEST, RANDY ORAM FOR INTERNATIONAL OUTDOOR INC., 500 WEST LONG LAKE**

Chair Dziurman announced the applicant requested to postpone the item. The applicant was not present.

Mr. Motzny advised the Board as follows:

- If the determination of the Board is to postpone the item:
  - Written comments received to date and public comments if heard at today’s meeting would remain on record and could be considered in the Board’s deliberation at a future date.

- Stipulate a time limitation on the postponement; i.e., upon re-request of petitioner or six month maximum.
- Hold applicant responsible for costs associated with public hearing notification.
- If the determination of the Board is to deny the item:
  - Public comments, either written or heard to date, would not remain on record and could not be considered in a future application.

The Board discussed the following:

- Action options.
- Written public comments, to date.
- Public present to speak at today's meeting.
- Intent of applicant for variance request and requests to postpone.
- Past variance requests, subsequent court cases and Judgments.

Chair Dziurman opened the floor for public comment.

John Major of 5215 Daniels spoke in opposition of the requested variance because of the proposed sign size, height and location adjacent to a residential area. He indicated the signage would be a distraction to drivers. Mr. Major suggested that the City place regulations on billboard signage going forward.

Charles Hoekstra of 5227 Daniels spoke in opposition of the requested variance for the same reasons as stated by Mr. Major. Mr. Hoekstra said the company generates noise and is an eyesore to the neighborhood.

Vince Pangle of 5235 Wright spoke in opposition of the requested variance. Mr. Pangle said the City would set a poor precedent if the sign variance is granted. He addressed the size and location of the signage and traffic concerns.

Chair Dziurman closed the floor for public comment.

Moved by: Abitheira

Support by: Brooks

**RESOLVED**, To postpone the variance request for a maximum of six (6) months with the following stipulations:

1. The applicant shall pay incurred costs associated with re-notification of the item if re-heard.
2. After six (6) months, the Board will reconsider and act upon item.
3. All public comment will remain on record and in the file.

Yeas: All present (5)

**MOTION CARRIED**

[Mr. Motzny exited the meeting.]

- B. **VARIANCE REQUEST, JAMES BAXTER FOR ARI-EL ENTERPRISES INC, 800-830 KIRTS BLVD** – A variance for relief of Chapter 85, Table 85.02.05, to relocate an existing 88 square foot ground sign set back 4 feet from the front right of way line. The Sign Code requires the sign to be set back 20 feet from the front right of way line.

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

The applicant, James Baxter of Ari-El Enterprises, and the property owner, Arie Liebowitz, were present.

Mr. Baxter said they are requesting to place the sign closer to the building entrance because the current location misrepresents the building entrance and causes confusion for both the occupants and visitors. Mr. Baxter said there would be no changes to the sign itself or the set back as it currently exists except to move it closer to the drive approach.

Mr. Liebowitz also addressed the Board. He said as new owners of the property, they want to make strategic improvements to the site; one being to direct traffic in the shortest possible route to the building entrance.

The following was discussed:

- Existing two ground signs for which permits are granted.
- Relocation of sign does not cause any traffic sight obstruction.

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 request.

Yeas: All present (5)

**MOTION CARRIED**

- C. **VARIANCE REQUEST, SCOTT FREEMAN FOR D. F. CHASE CONSTRUCTION, 1310 E BIG BEAVER** – A variance for relief of Chapter 83 to allow the installation of an electrically charged fence on the property. The Fence Ordinance prohibits the use of an electrically charged fence in any area of the City.

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

The applicant, Scott Freeman of D. F. Chase, was present. Also present were John Westendorf of Old Dominion Freight Line and Michael Pate of Electric Guard Dog.

Mr. Freeman stated that the electric fence would be installed for the truck yard only and not the employee parking lot.

Mr. Pate briefly explained the technology of an electric fence addressing voltage, timing of alarm, placement and grounding (protection of wildlife).

There was discussion on the following:

- Previous requests to install electric fencing for truck yard security.
- Electric fence structure at former location (1163 Souter); power disengaged, potential for new ownership to “electrify” existing fence.
- Variances run with the land; Board has power to grant restrictions on appeal.

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: Kischnick

Support by: Abitheira

***RESOLVED***, To approve the variance request for the following reasons:

1. There is an undue hardship relating to the use of the industrial property.
2. The variance would not be contrary to the public interest.

Vote on the motion on the floor.

Yeas: All present (5)

**MOTION CARRIED**

- D. **VARIANCE REQUEST, STEVE LENDERMAN FOR SURE HOLDINGS LLC, 1414 E MAPLE ROAD** – A variance to allow the second and third floor interior exit stairway doors of the 5 story building to be locked on the stairway side preventing unauthorized access to the tenant space. The 2009 Michigan Building Code, Section 1008.1.9.10, requires interior stairway means of egress doors remain operable from both sides without the use of a key or special knowledge.

Mr. Grusnick gave a brief description of the request. He indicated the department received no comments in response to the public notice. Mr. Grusnick stated the City's Fire Department has no objection to the appeal request.

The applicant, Steve Lenderman of MBL+A Architects, was present. Mr. Lenderman addressed Building Code Section 403.5.3.1 and specifically Exception #3 to Building Code Section 1008.1.9.10, which states doors can be locked except in buildings with more than five stories. He explained that although the subject building has five stories, it does not meet the 55 foot height definition of a high rise building. Mr. Lenderman used visual boards to display the second and third floor building occupancy, shared the tenant's need for security in handling personal and confidential information and addressed the technology of the automatic door hardware, specifically the locks disengagement with a fire alarm activation or the loss of electrical power.

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: Abitheira

Support by: Carolan

**RESOLVED**, To approve the variance request.

Yeas: Abitheira, Carolan, Dziurman, Kischnick

Nays: Brooks

**MOTION CARRIED**

#### 4. **COMMUNICATIONS**

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS

A. CHAPTER 85, FENCES

Mr. Grusnick addressed proposed revisions to Chapter 83.

- Section 4, Construction Material, strike last sentence “Fences which enclose school grounds, playground, tennis courts, public swimming pools, or other public areas may be erected to a height in excess of six (6’0”) feet with the approval of the Building Board of Appeals”.
- Add Section 6, Appeals.

Moved by: Dziurman  
Support by: Abitheira

**RESOLVED**, That the Board has reviewed the suggested revisions, deletions and additions to Chapter 85, Fences, as presented, and is in agreement, and that the proposed revisions are made a part of the record hereof.

Yeas: All present (5)

**MOTION CARRIED**

B. 2013 MEETING SCHEDULE

After a brief discussion, the Board agreed to reschedule the July meeting date due to a holiday conflict.

Moved by: Dziurman  
Seconded by: Brooks

**RESOLVED**, To approve the 2013 meeting schedule, as presented, with the exception to reschedule the July 3, 2013 meeting date to July 10, 2013.

Yeas: All present (5)

**MOTION CARRIED**

7. ADJOURNMENT

The Regular meeting of the Board of Building Appeals adjourned at 4:03 p.m.

Respectfully submitted,

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Theodore Dziurman, Chair

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Kathy L. Czarnecki, Recording Secretary

G:\Building Code Board of Appeals Minutes\Draft\2012 12 05 Regular Meeting\_Draft.doc



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.

RECEIVED

DEC - 4 2012

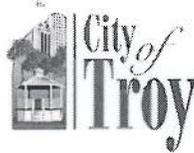
PLANNING

CITY OF TROY BUILDING INSPECTION DEPARTMENT  
CITY OF TROY PLANNING DEPARTMENT  
BUILDING CODE BOARD OF APPEALS APPLICATION

**SIGN APPEALS**

FEE \$50

CITY OF TROY PLANNING DEPARTMENT  
500 W. BIG BEAVER ROAD  
TROY, MICHIGAN 48084  
PHONE: 248-524-3344  
FAX: 248-689-3210  
E-MAIL: [evanspm@troymi.gov](mailto:evanspm@troymi.gov)  
<http://www.troymi.gov/CodeEnforcement/>



**CONSTRUCTION OR FENCE CODE APPEALS**

FEE: \$50

CITY OF TROY BUILDING DEPARTMENT  
500 W. BIG BEAVER ROAD  
TROY, MICHIGAN 48084  
PHONE: 248-524-3344  
FAX: 248-689-3210  
E-MAIL: [GrusnickME@troymi.gov](mailto:GrusnickME@troymi.gov)  
<http://www.troymi.gov/BuildingInspection/>

**NOTICE TO THE APPLICANT**

REGULAR MEETINGS OF THE BUILDING CODE BOARD OF APPEALS ARE HELD ON THE FIRST **WEDNESDAY OF EACH MONTH AT 3:00 P.M.** AT CITY HALL.

PLEASE FILE A COMPLETE APPLICATION, TOGETHER WITH THE APPROPRIATE FEE, **NOT LESS THAN TWENTY-ONE (21) DAYS** BEFORE THE MEETING DATE.

A COMPLETE APPLICATION THAT MEETS CODE REQUIREMENTS IS PLACED ON THE NEXT AVAILABLE AGENDA OF THE BUILDING CODE BOARD OF APPEALS.

1. ADDRESS OF THE SUBJECT PROPERTY: 1251 Rochester Rd

ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*

2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-34-201-036

3. CODE NAME (e.g. "BUILDING CODE", "SIGN CODE", etc.) AND SECTION(S) RELATED TO THE APPEAL:  
Sign Code

4. REASONS FOR APPEAL/VARIANCE: *On a separate sheet, please describe the reasons justifying the requested action. See Submittal Checklist*

5. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? YES  NO

6. APPLICANT INFORMATION:

NAME Afrak Albanna  
COMPANY Automotive Castle  
ADDRESS 1251 Rochester Rd  
CITY Troy STATE \_\_\_\_\_ ZIP 48083  
TELEPHONE 248 439-6311  
E-MAIL AutomotiveCastle@gmail.com

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: \_\_\_\_\_

8. OWNER OF SUBJECT PROPERTY:

NAME Same  
COMPANY \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
TELEPHONE \_\_\_\_\_  
E-MAIL \_\_\_\_\_

The undersigned hereby declare(s) under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto.

I, Afrak Albanna (PROPERTY OWNER), HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO CONDUCT A SITE VISIT TO ASCERTAIN PRESENT CONDITIONS.

SIGNATURE OF APPLICANT Afrak Albanna DATE 12-4-12  
PRINT NAME: Afrak Albanna

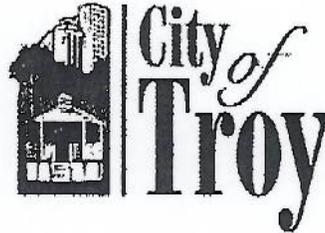
SIGNATURE OF PROPERTY OWNER \_\_\_\_\_ DATE \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_

*Failure of the applicant or his/her authorized representative to appear before the Board, as scheduled, shall be justifiable cause for denial or dismissal of the case with no refund of appeal fee(s). If the person appearing before the Board is not the applicant or property owner, signed permission must be presented to the Board.*

*The applicant will be notified of the time and date of the hearing by first class mail.*

# SIGN PERMIT APPLICATION

PLANNING DEPARTMENT  
 500 W BIG BEAVER  
 TROY MI 48084  
 248 524 3359  
[evanspm@troymi.gov](mailto:evanspm@troymi.gov)  
 SIGN ORDINANCE ONLINE [Ctrl+click here](#)



### APPLY VIA E-MAIL - INSTRUCTIONS

1. COMBINE OR SCAN APPLICATION AND SUPPORTING DOCUMENTS INTO ONE FILE
2. E-MAIL THE FILE TO [evanspm@troymi.gov](mailto:evanspm@troymi.gov)
3. SIGN PERMIT WILL BE E-MAILED TO YOU

### SIGN PERMIT FEE SCHEDULE

SIZE	WALL SIGN PAINTED ON WALL	WALL SIGN STRUCTURALLY ATTACHED	GROUND SIGN
UNDER 100 SQ. FT.	\$ 75.00	\$ 100.00	\$ 125.00
100 TO 199 SQ. FT.	\$100.00	\$ 125.00	\$ 150.00
200 TO 300 SQ. FT.	\$ 100.00	\$150.00	\$ 175.00
SPECIAL EVENT	\$30.00		

PROPERTY ADDRESS: 1251 Rochester Rd Troy

**APPLICANT INFORMATION:**

NAME \_\_\_\_\_  
 COMPANY Bright star inc  
 ADDRESS 13300 Foley St Detroit MI 48227  
 CITY 13300 Foley St STATE MI ZIP \_\_\_\_\_  
 TELEPHONE 313-802-5000  
 E-MAIL Chris@Rainbowhi-tech.com

TYPE OF SIGN:   
  GROUND                     
  WALL                                     
  SPECIAL EVENT

SPECIAL EVENT SIGNS: What 7 day period will signs be up? \_\_\_\_\_

# SIGN PERMIT APPLICATION

ILLUMINATED SIGN?:  YES  NO

ELECTRICAL CONNECTIONS BY: \_\_\_\_\_

DOWNLOAD AN ELECTRICAL PERMIT APPLICATION [HERE](#)

ARE OTHER SIGNS ON THE PROPERTY?:  YES  NO IF YES, DESCRIBE TYPE AND SIZE BELOW:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The undersigned hereby declare(s) under penalty of perjury that the contents of this application are true to the best of my knowledge, information and belief.

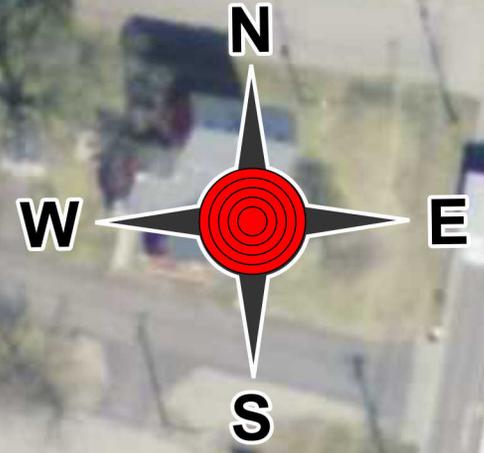
The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto

SIGNATURE OF APPLICANT Ali DATE 10/17/12

PRINT NAME: Ibrahim Mchaimed

# AUTOMOTIVE CASTLE

Address: 1251 Rochester Rd Troy MI



20' setback to propose Sign

Snell Industrial Ct

Rochester Rd

# AUTOMOTIVE CASTLE

Address: 1251 Rochester Rd Troy MI

Total : 46 sq. ft.



**AFTER**



**BEFORE**



Size:  
Overall Sq/Ft:  
Date:  
Scale: 1/2" = 12"

Notes:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**Rainbow HITECH SIGNS**  
A LEADER IN THE SIGN INDUSTRY

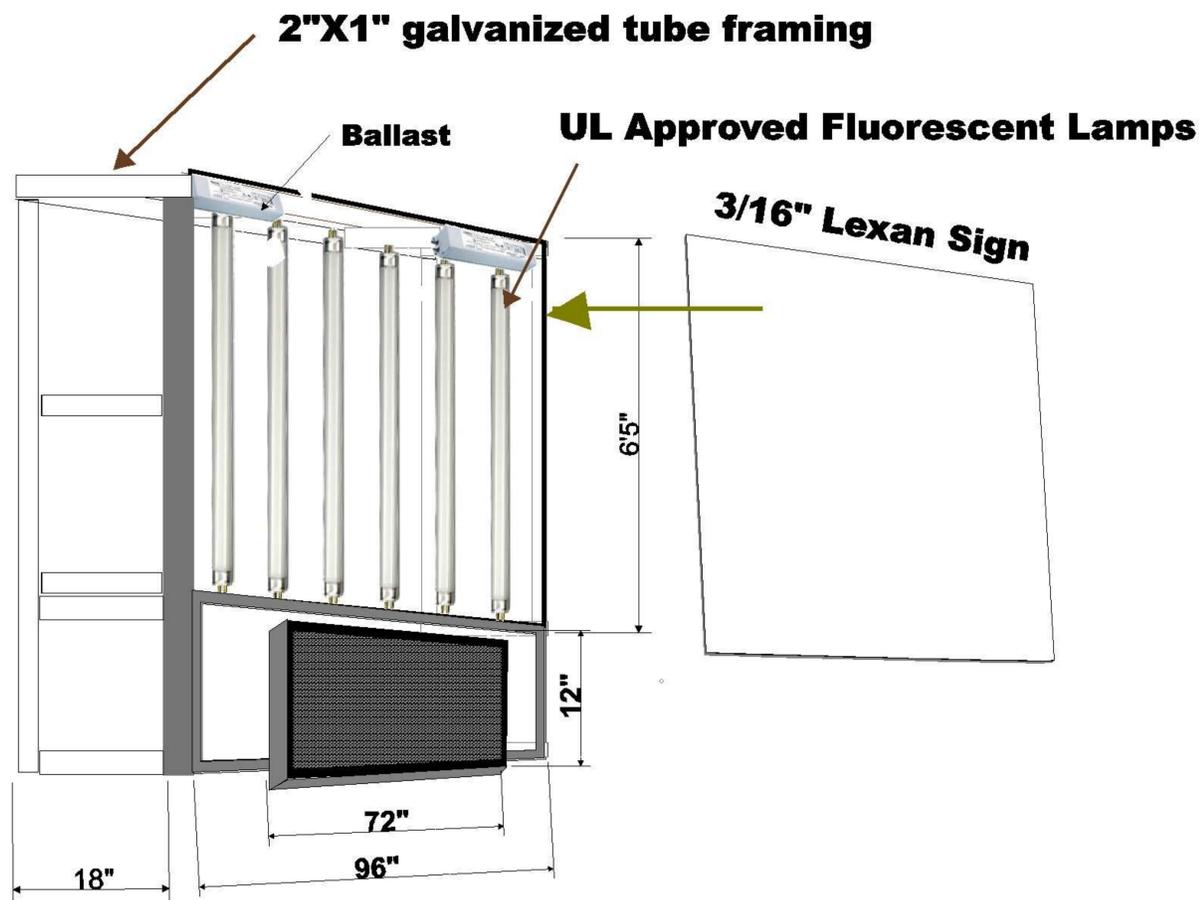
**16706 Telegraph Rd. Detroit, MI 48219**

**T: 313-794-7355 F: 313-794-7368**

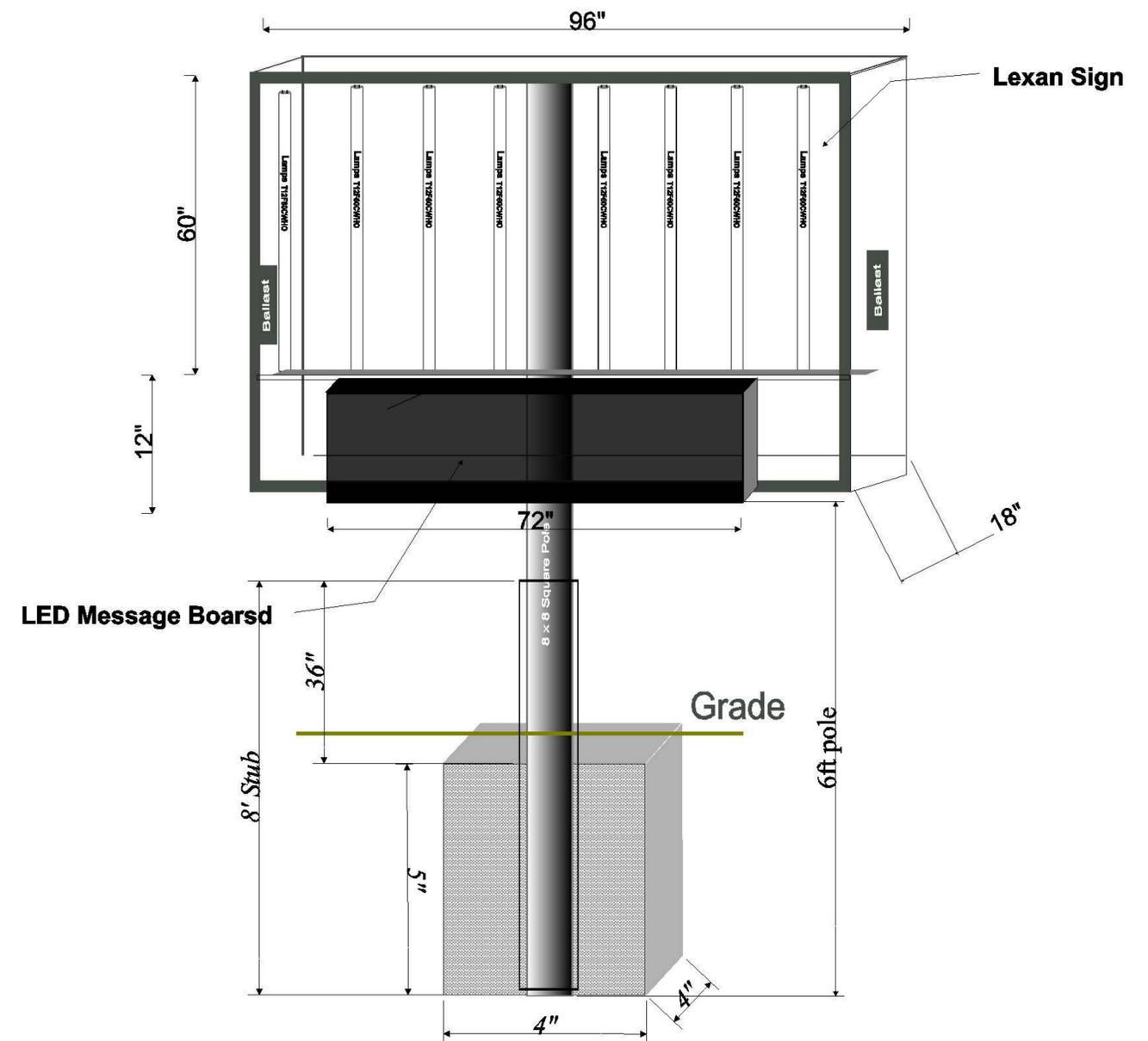
# AUTOMOTIVE CASTLE

Address: 1251 Rochester Rd Troy MI

## Construction Detail



### Galvanized framing tubing with .063 Aluminum Covering





96 in

Lexan Sign

60 in

**AUTOMOTIVE CASTLE**  
**Complete Auto/Truck Repair**  
**Imported & Domestic**

**248-439-6311**

**YOUR MESSAGE HERE**

148 in

LED Message Board

72 in

12 in

72 in

Car Care Center

- E. **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 gave a brief description of the request. He indicated the department received no comments in response to the public notice.

Chris Tweny of Rainbow Hi-Tech was present to represent the property owner. Mr. Tweny said the property owner, Afrah (Fred) Albanna of Automotive Castle, would like to install an LED message board sign. He addressed visibility concerns with existing signage and noted the applicant would remove his name from existing signage shared by multi-building tenants.

Ms. Brooks opened the floor for public comment.

Kim Snell of 1227 Rochester Road was present. Ms. Snell spoke on behalf of the mini storage facility, one of the multi-building tenants who share the existing signage with the applicant. She said the applicant's name is on the two existing signs at no charge, and the signs are visible from the north and south. Ms. Snell expressed opposition to the applicant's request for a third sign. She indicated the mini storage facility does not have frontage exposure and would lose business without a sign. Ms. Snell said the applicant is difficult to work with as a neighbor, and his business is a disgrace to the City.

Mr. Tweny said the applicant would be willing to share the usage of the proposed LED sign.

Matthew Horn of The Horn Corporation, 1263 Rochester, was present. Mr. Horn is one of the multi-building tenants sharing the existing signage with the applicant. He said after coming to an agreement with the applicant, he applied and paid for the existing signage. Mr. Horn indicated he is not necessarily opposed to the applicant's request for a third sign because that would free up and give him personal use of the existing signage. Mr. Horn said the applicant's property is a constant mess with yellow leg signs, auto parts, tire bins, flags, lawn lights, etc. Mr. Horn said he would welcome professional signage if it meant the applicant would stop constantly cluttering the property.

Mr. Carolan said he would not support the request because it appears a hardship would be created for the other building tenants.

Mr. Grusnick reported violation notices have been issued to the applicant. Mr. Grusnick said the applicant indicated a third sign would address signage concerns on site.

Mr. Tweny asked that the building tenants put their objections in writing and indicated that conceivably there could be a resolution to the signage concerns.

Ms. Brooks closed the floor for public comment.

Discussion continued:

- Role/responsibility of the Board.
- Multi-building tenant signage.
- Sunoco gas pipeline on site.

Moved by: Carolan

Seconded by:

**RESOLVED**, To deny the variance request because it would adversely affect the existing neighbors and the applicant has not shown a hardship.

**MOTION FAILED** for lack of support.

Mr. Tweny requested to postpone the request until there is a full Board present.

Moved by: Abitheira

Seconded by: Culpepper

**RESOLVED**, To postpone the request so it can be heard at a meeting in which a full board is present.

Discussion on the motion on the floor.

Mr. Carolan said he would support the motion to postpone because it would allow the applicant time to resolve concerns addressed by the neighbors.

Vote on the motion on the floor.

Yeas: All present (4)

Absent: Dziurman

**MOTION CARRIED**

3. HEARING OF CASES

- 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.

**CITY OF TROY BUILDING INSPECTION DEPARTMENT  
CITY OF TROY PLANNING DEPARTMENT  
BUILDING CODE BOARD OF APPEALS APPLICATION**

**SIGN APPEALS**

**FEE \$50**

CITY OF TROY PLANNING DEPARTMENT  
500 W. BIG BEAVER ROAD  
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**CONSTRUCTION OR FENCE CODE APPEALS**

**FEE: \$50**

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PHONE: 248-524-3344  
FAX: 248-689-3210  
E-MAIL: [GrusnickME@troymi.gov](mailto:GrusnickME@troymi.gov)  
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A COMPLETE APPLICATION THAT MEETS CODE REQUIREMENTS IS PLACED ON THE NEXT AVAILABLE AGENDA OF THE BUILDING CODE BOARD OF APPEALS.

1. ADDRESS OF THE SUBJECT PROPERTY: 4889 Rochester Rd  
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-15-201-049/88-99-00-061-450
3. CODE NAME (e.g. "BUILDING CODE", "SIGN CODE", etc.) AND SECTION(S) RELATED TO THE APPEAL:  
Sign Code 85.02.05 C.4.a
4. REASONS FOR APPEAL/VARIANCE: *On a separate sheet, please describe the reasons justifying the requested action. See Submittal Checklist*
5. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? YES  NO  ?

**RECEIVED**  
**NOV 21 2012**  
**PLANNING**

6. APPLICANT INFORMATION:

NAME Patti Franz  
COMPANY Aver Sign Company  
ADDRESS 359 Livernois  
CITY Ferndale STATE MI ZIP 48220  
TELEPHONE 248-542-0678  
E-MAIL pattif@aversign.com

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: Sign Contractor

8. OWNER OF SUBJECT PROPERTY:

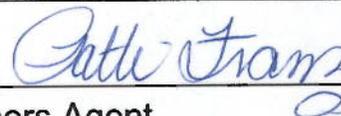
NAME \_\_\_\_\_  
COMPANY Kroger  
ADDRESS 4889 Rochester  
CITY Troy STATE MI ZIP 48084  
TELEPHONE Owners Agent - Patti Franz 248-542-0678  
E-MAIL pattif@aversign.com

The undersigned hereby declare(s) under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto.

I, Patti Franz (owner agent) (PROPERTY OWNER), HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO CONDUCT A SITE VISIT TO ASCERTAIN PRESENT CONDITIONS.

SIGNATURE OF APPLICANT  DATE 11-21-12  
PRINT NAME: Patti Franz

SIGNATURE OF PROPERTY OWNER  DATE 11-21-12  
PRINT NAME: Patti Franz / Owners Agent

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*The applicant will be notified of the time and date of the hearing by first class mail.*

## **SIGN CODE APPEALS CRITERIA – CHAPTER 85.01.08 SIGN CODE**

The Board of Appeals has the power to grant specific variances from the requirements of this

Chapter, upon a showing of each of the following:

***Please note:***

- 1. The proposed sign (with our new revision to the size of the sign base) would meet all sign code requirements if the setbacks were calculated from the current right of way.***
- 2. The proposed sign is consistent with neighboring signs in the area.***

a) The variance would not be contrary to the public interest or general purpose and intent of this Chapter.

***The proposed sign would not be unduly distracting, or create a traffic hazard. The requested size and placement of the sign is as such to increase the signs effectiveness by providing clarity of required information to vehicular travelers. The sign as proposed provides significant value to citizens by increasing visibility and reducing traffic hazards from diminished visibility of the sign / prices.***

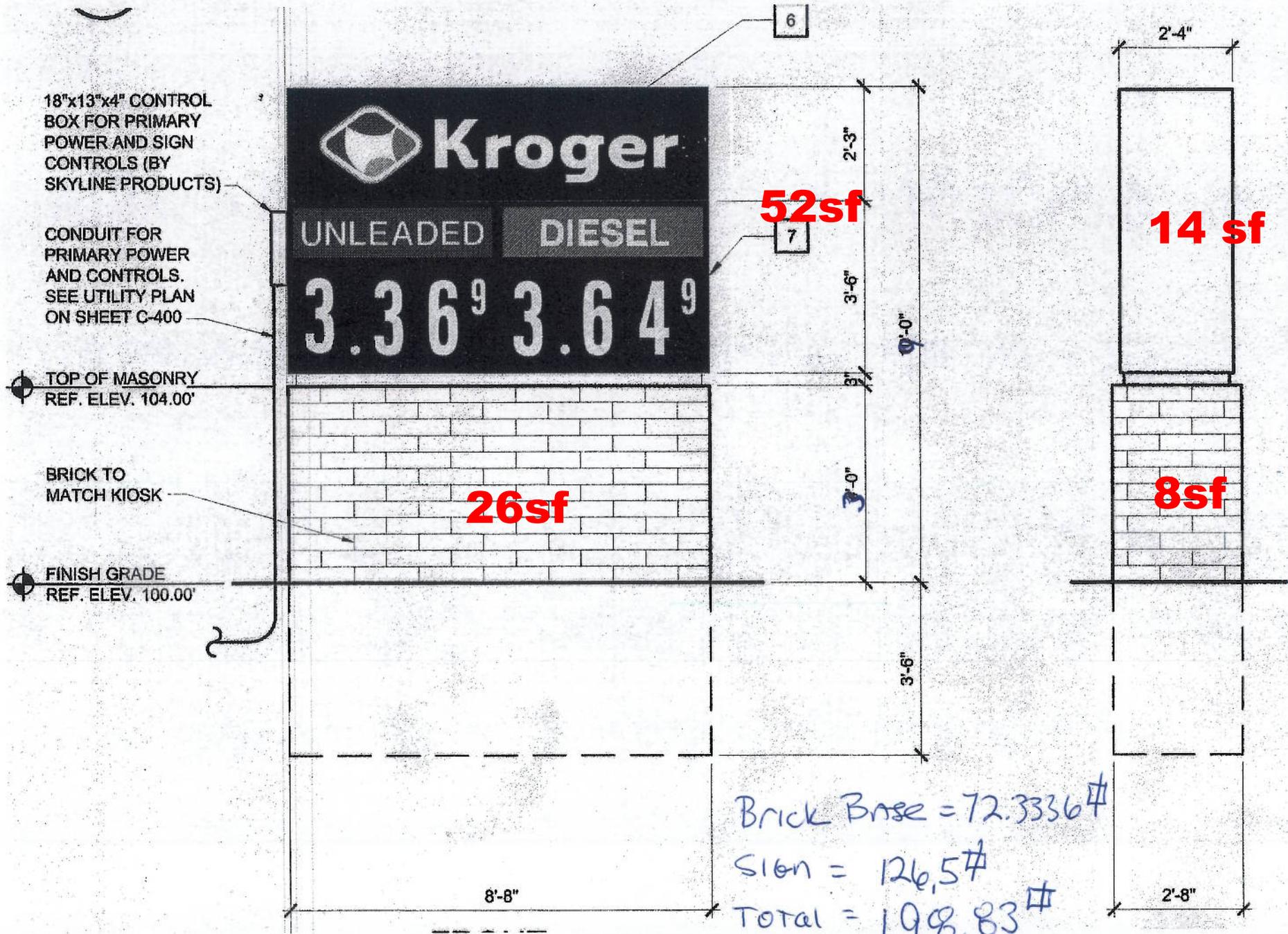
b) The variance does not adversely affect properties in the immediate vicinity of the proposed sign.

***The proposed sign does not adversely affect surrounding properties. The proposed sign is well over 75' from any adjacent property and does not exceed any height restrictions (at 10' oah) at the proposed placement. .***

c) The petitioner has a hardship or practical difficulty resulting from the unusual characteristics of the property that precludes reasonable use of the property.

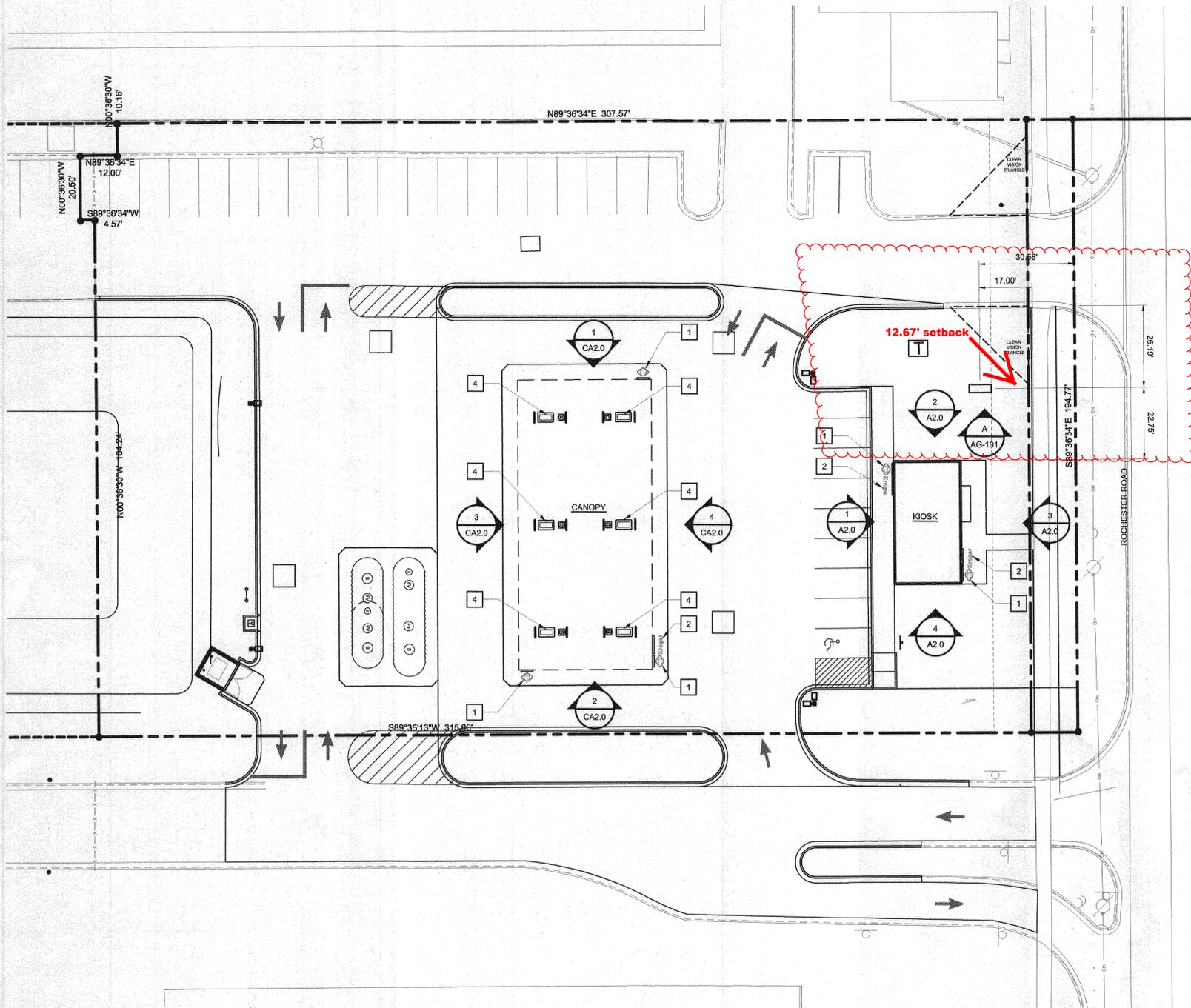
***If the required setback were to be met based on the proposed future right of way, the proposed sign would be setback beyond the gas station kiosk, making visibility impossible for north bound travelers to identify the prices until they are almost upon the sign. The sign as proposed was plotted with Kroger and the Troy Planning Department during the site plan layout, showing the building and signs as proposed. As requested the sign would meet ordinance based on the current right of way.***

***In the spirit of staying within the sign code as much as possible, we have reduced the base of the sign to 3', for an overall height of 9' and an overall square footage of 198.8. This brings us within the sign codes square footage for a sign with a depth greater than 24".***



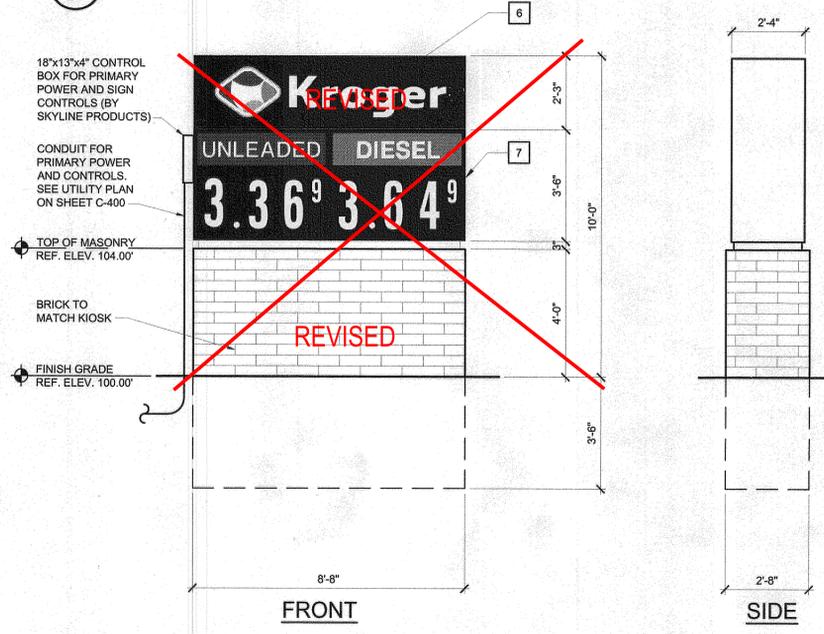
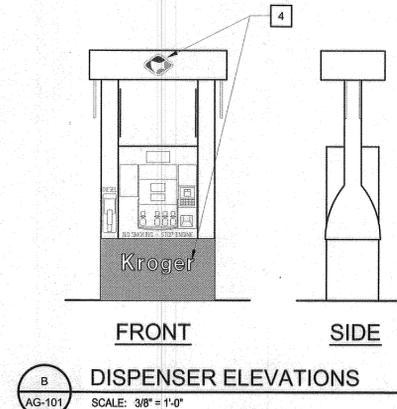
200 SF department calcs

FILE NAME: q:\2012\1015\CAD\Const\_Docs\Architectural\A6\_101\_SignagePlan\_Site.dwg LAST SAVED BY: Mike Vanderbeke SAVED DATE: 7/24/2012 12:36 PM PLOTTED: 7/24/2012 5:17 PM



**SIGNAGE PLAN - SIGN**  
SCALE: 1" = 20'-0"

ARCHITECTURAL GRAPHICS SCHEDULE			
MARK	DESCRIPTION	MANUFACTURER / MATERIAL	NOTES
1	ILLUMINATED LOGO SIGN	CUMMINGS SIGNS	SEE DRAWINGS 53154.07C, 53154.07C1 AND KR203902 ON SHEET AG-501
2	ILLUMINATED CHANNEL LETTER SIGN	CUMMINGS SIGNS	SEE DRAWINGS 53154.07C AND KR20302 ON SHEET AG-501.
3	NOT USED	-	-
4	MULTI-PRODUCT DISPENSER GRAPHICS	DRESSER, INC. DRESSER WAYNE "OVATION" FUEL DISPENSER	DOOR AND VALANCE GRAPHICS BY DISPENSER MANUFACTURER. SEE DETAIL B ON SHEET AG-101.
5	NOT USED	-	-
6	ILLUMINATED BRAND IDENTIFICATION SIGN	CUMMINGS SIGNS	SEE DRAWING 69584 ON SHEET AG-501.
7	ILLUMINATED SCROLLING PRICE SIGN	SKYLINE PRODUCTS, INC.	SEE DRAWING PSS-18DPDFITP ON SHEET AG-501.



Civil Engineering  
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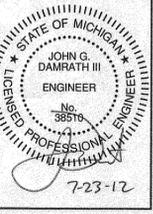
17710 Hill Top Dr.  
Farmington Hills, MI 48331  
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**KROGER D-487**  
**RETAIL FUEL CENTER**  
**4889 ROCHESTER ROAD AT E. LONG LAKE ROAD**  
**TROY, MI 48085**  
**SIGNAGE PLAN - SITE**

REV.	DATE	DESCRIPTION
0	04/23/2012	SITE PLAN REVIEW
3	06/06/2012	SFC REVISIONS
4	07/23/2012	SITE PLAN/PERMITS



DATE: 01.01.2011  
PROJECT NO.: 2010.1174  
DESIGNED BY: LPE  
DRAWN BY: LPE  
CHECKED BY: JGD

SHEET NO.  
**AG-101**

