

## AGENDA

### BUILDING CODE BOARD OF APPEALS APRIL 7, 2004

#### LOWER LEVEL CONFERENCE ROOM 8:30 A.M.

#### CALL TO ORDER

#### ITEM #1 – APPROVAL OF MINUTES – MEETING OF March 3, 2004

#### PUBLIC HEARINGS

**ITEM #2 – VARIANCE REQUEST. JOSEPH NIMAN, JR. 1225 EQUITY, HELLER MACHINE TOOLS**, for relief of the Sign Ordinance to maintain two (2) additional 98-square foot wall signs installed without the required permits.

Petitioner is requesting relief of Chapter 78 to maintain two (2) additional 98-square foot wall signs installed without the required permits. Section 9.02.05 B of the Ordinance permits one primary wall sign at this location, not to exceed 100 square feet in size. There is an existing sign on the east side of the building that is 98 square feet in size. The additional signs on the west and south elevations exceed the number of signs permitted by the Ordinance.

**ITEM #3 – VARIANCE REQUEST. HONIGMAN, MILLER, SCHWARTZ & COHN LLP ON BEHALF OF E-Z STORAGE, 1320 E. BIG BEAVER**, for relief of Chapter 78 to replace an existing ground sign.

Petitioner is requesting relief of Chapter 78 to replace an existing ground sign, which is 108 square feet in size and 15' in height, and replacing it with a sign that is measured as 306 square feet in size (153 square feet on each side) and 25' in height. Section 9.02.05, A of the Sign Ordinance limits the size of a primary ground sign to 100 square feet and the height to 12'. The proposed sign exceeds size and height limitations. The existing sign was granted a variance for additional height and size on November 3, 1974.

In their application for appeal the petitioner asserts that this sign is actually legally permitted by Paragraph C of Section 9.02.05 of the Sign Ordinance. In applying this Section of the Ordinance it is the opinion of the Building Department that the requirement of "set back a minimum of 200' from any street right of way" would include a 200' setback from the I-75 right of way. In addition, if this Section was applied, the sign would not comply with the requirement that it be located at least 1,000' from any sign exceeding 100 square feet in area since the Peerless Steel sign is less than 1,000' away.

There is no definition of "street right of way" within the Sign Ordinance. However, in support of the Building Departments requirement for setbacks from the freeway, we submit reference to Paragraph L of Section 31.30.00 of the Zoning Ordinance that in reference to front yard setbacks in the M-1 (Light Industrial) states that "All yards abutting upon a public

**ITEM #3 – con't.**

street **or freeway** shall be considered as front yards for setback and open space purposes”(emphasis added).

The petitioners are also asserting that the area of the sign is being incorrectly measured. The Building Department has determined that the faces of the sign are located more than 24” apart. As such, Section 8.01.02 of the Sign Ordinance states that all faces of the sign are to be included in the computation of the sign area. Based upon that determination the sign is measured as 306 square feet. The petitioners assert that a portion of the sign faces are less than 24” apart and as such should only be measured as the area of one side of the sign.

The petitioners ask that you overturn these interpretations or in absence of such an action grant variances for the larger sign.

**ITEM #4 – VARIANCE REQUEST. KASPER ENTERPRISES, 5750 NEW KING,** for relief of Chapter 78 to install three (3) wall signs at Oxford Automotive.

Petitioner is requesting relief to install three (3) wall signs at 5750 New King. The plans submitted indicate installation of two (2) wall signs, each 94 square feet in size. Section 9.02.03, A of the Sign Ordinance permits one major wall sign at this location, with a maximum size of 200 square feet.

The applicant is also proposing to install a 20 square foot tenant identification sign on the third floor of this building. Section 9.02.03, D of the Ordinance permits a 20 square foot tenant identification sign, however, it must be placed on the ground floor, on the face of the area occupied by the tenant.

**ITEM #5 – VARIANCE REQUEST. KESSIE KALTSOUNIS, REPRESENTING ST. NICHOLAS GREEK ORTHODOX CHURCH, 760 W. WATTLES,** for relief of Chapter 78 to put up 30 off-site sign to advertise the up-coming OPA Fest.

Petitioner is requesting relief of Chapter 78 to put up 30 off-site signs to advertise the upcoming OPA Festival, from June 25, 2004 through June 27, 2004. Section 14.03 of the Sign Ordinance limits the number of off-site signs to four (4).

**ITEM #6 – VARIANCE REQUEST. ROBERT E. MOORHOUSE & ASSOCIATES, 2350 MEIJER,** for relief Chapter 78 to maintain a 27 square foot ground sign, installed 2.8 feet from the right of way.

Petitioner is requesting relief of Chapter 78 to maintain a 27 square foot ground sign, installed 2.8 feet from the right of way. A permit was issued for the installation of a ground sign at this location. That permit contained the stipulation that the sign be installed in compliance with Section 9.02.05 of the Ordinance requiring that a ground sign be placed a minimum of 10’ setback from the right of way. Field measurements of the installed sign show that it is actually installed only 2.8 feet from the front property line.