

A meeting of the Building Code Board of Appeals was called to order at 8:35 a.m. on Wednesday, June 1, 1983 by the Chairman Ted Dziurman.

PRESENT: Ted Dziurman, Chairman
James Halsey
Gerald VandenBussche
John D'Amour

ABSENT: Don Spurr

ITEM #1. Reconsideration of Midas Muffler, 2995 E. Big Beaver Road, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner requested the board to approve additional signs on the Midas Muffler building that will be constructed at the northwest corner of Dequindre and Big Beaver. The board, at the May 4, 1983 meeting, approved 3 additional signs indicating various services, such as Mufflers, Shocks and Brakes. These signs would be placed over the doors to handle that specific service. These signs were in addition to what is permitted by the ordinance. The approval that the board granted at that time was made without the knowledge that Midas Muffler had committed themselves to the City Council to refrain from requesting any type of variance on their site when they requested rezoning of their property. This fact was not brought to light until a recent City Council meeting when it was made known that Midas had made this type of commitment. Based on this new evidence or finding of facts, reconsideration of this approval is appropriate.

Tom Sawyer was present to represent Midas Muffler and indicated that they had authorized him to withdraw their request for a sign variance. Mr. Sawyer further indicated that it was the understanding of Midas that there would be no variances regarding the building or site but did not realize that it included signs.

Raymond McCoy of the sign company was also present and indicated that he had filed the application and appeal and he concurred with the request for withdrawal of the variance request.

The board accepted the withdrawal of the variance request for additional signs at Midas Muffler, 2995 E. Big Beaver Road and no further action was taken on this item.

ITEM #2. Approval of the May 4, 1983 Minutes

Motion by Halsey
Supported by VandenBussche

MOVED, to approve the minutes of the May 4, 1983 meeting with the withdrawal of the variance request by Midas Muffler, 2995 E. Big Beaver Road for three additional signs.

Ayes: 4
Nays: 0
Absent: 1 (Spurr)

MOTION TO APPROVE AS AMENDED CARRIED.

ITEM #3. Edward Newman, 103 Park Street, for relief of the B.O.C.A. Code.

Mr. VandenBussche explained that this is a renewal of relief of the B.O.C.A. Code, Section 1702.8. The petitioner is requesting renewal of relief, granted by this board, for a fire suppression system in a building that exceeds 26,000 square feet in area. The B.O.C.A. Code requires that industrial uses must have a suppression system when the area exceeds 12,000 square feet. The building was originally erected prior to the requirements of the code. In 1978 when a 6,000 square foot addition was erected, the petitioner was granted relief of this requirement. The relief has been renewed on an annual basis, primarily due to the fact that there were no combustibles in the building and the use was of the type where very little hazard existed. It is the petitioners contention that the conditions remain the same and he is requesting consideration for renewal.

Edward Newman and Robert Jones the General Manager were present and indicated that they wished to continue the variance. They further indicated that the Fire Marshal had inspected their site on May 31, 1983 and did not find any problems.

Motion by Halsey
Supported by VandenBussche

MOVED, to renew the request of Edward Newman, 103 Park for relief of Section 1702.8 of the B.O.C.A. Code for one year.

1. The conditions remain the same.
2. An inspection by the Fire Marshal on May 31, 1983 revealed no problems.
3. This is a continuation of an existing variance.

ITEM #3. continued

Ayes: 4
Nays: 0
Absent: 1 (Spurr)

MOTION TO RENEW FOR ONE YEAR CARRIED.

ITEM #4. Rossen/Neuman Associates, 801 W. Big Beaver Road, for relief of the B.O.C.A. Code.

The petitioner was not present.

Motion by Halsey
Supported by D'Amour

MOVED, to table this item until the next regular meeting date of July 6, 1983.

The petitioner is working on pursuing alternative methods of protection. They are contacting the safe company and the Fire Marshal has written to B.O.C.A. for an interpretation and information.

Ayes: 4
Nays: 0
Absent: 1 (Spurr)

MOTION TO TABLE UNTIL JULY 6, 1983 CARRIED.

ITEM #5. Harold Lanfear, 2800 Arlund Way, for relief of Chapter 83

Mr. VandenBussche explained that the petitioner is requesting permission to erect a 6 foot wood fence around the perimeter of his property. The 6 foot fence would also be located in the required front setback of Arlund Way. The Fence Ordinance requires that fences not exceed 30 inches in height in required front setbacks of residential districts.

Mrs. Lanfear was present and indicated the fence was for privacy, they proposed to erect the fence along the rear of their lot adjacent to I-75 to the end of their lot and then continue it across the front of their property adjacent to Arlund Way. The fence will terminate at a point east of their home. There will not be any fence in front of the house. Arlund way is used as a main street between Beach and Adams, they get a lot of traffic through there and feel the fence will provide them with privacy. Also Mrs. Lanfear felt a fence would prevent people from dumping in the wooded area at the east portion of their lot. The fence along the expressway to the point of the triangle would provide them privacy and protection from people who stop along the expressway and come onto their property.

The chairman opened the public hearing.

There were no comments from the audience

There were three letters of objection on file: Robert Alati, 2815 Arlund Way - Robert Bushman, 2951 W. Square Lake Road and Leonard A. Siudara, 5865 Andover Court on behalf of himself and Dr. R. Lawrence Koovand a contiguous owner.

The chairman closed the public hearing.

Motion by Halsey
Supported by VandenBussche

MOVED, to grant approval to erect a 6 foot wood fence along the back length of the property line at 2800 Arlund way to give the petitioner protection and privacy from I-75.

FURTHER MOVED, to deny a fence along the front property line adjacent to Arlund Way.

Ayes: 4
Nays: 0
Absent: 1 (Spurr)

MOTION TO APPROVE AS STIPULATED CARRIED.

The Meeting was adjourned at 8:58 a.m.