

A meeting of the Building Code Board of Appeals was held on Wednesday, April 2, 1980 at the Troy City Offices. The meeting was called to order by Acting Chairman, James Halsey at 1:30 p.m.

PRESENT: James Halsey
Gerald VandenBussche
Don Spurr
Kulsam Rashid

ABSENT: Ted Dziurman

ITEM #1. Approval of March 5, 1980 and March 24, 1980 minutes.

Motion by Spurr
Support by VandenBussche

MOVED, to approve the minutes of March 5, and March 24, 1980 as written.

ayes: 4
nays: 0
absent: 1 - Dziurman

MOTION TO APPROVE CARRIED

PUBLIC HEARINGS

ITEM #2. Variance Requested, Etkin, Johnson, and Karb, Inc., 700 West Fourteen Mile Road, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting a permit to install five directional signs at the Penny's Store in the Oakland Mall complex. The sign ordinance permits only one sign for commercial establishments in this zoning district. The site presently has all the signs that are permitted under the ordinance plus some additional that were allowed by a previous appeal. The signs that they are referring to are on the automobile center and package pick-up.

Mr. James J. Koe Jr., Paul Przygócki and Rich O'Keefe were present. They had no additional comments.

The Chairman opened the public hearing.

No comments from the audience.

The Chairman closed the public hearing.

Motion by VandenBussche
Support by Spurr

MOVED, to approve the request to install five directional signs on the package pick-up and the automobile center for the following reasons:

1. The signs are primarily directional.
2. They have a hardship in identifying the various services on the site.

ayes: 4
nays: 0
absent: 1 - Dziurman

MOTION TO APPROVE CARRIED

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ITEM #3. Variance Requested, Ward Sign Company, 2880 West Maple Road, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting a permit to maintain a second wall sign on the front of their expansion area that the Farmer Jack Food Store has occupied in the shopping center complex at the corner of Coolidge and Maple Road. The sign ordinance permits a commercial establishment to have only one wall sign in this business zoned district.

Mr. David Beaton was present. He indicated that the expansion area was formerly the Perry Drug Store and that the sign was existing. When Farmer Jack took over the area in their expansion of the store they revised the face in the existing sign. They replaced the inserts with "Farmer Jack" copy on them. They were unaware they were not in compliance. To remove the sign would detract from the appearance of the center as it is now.

The Chairman opened the public hearing.

No comments from the audience.

The Chairman closed the public hearing.

Motion by Spurr
Support by Rashid

MOVED, to deny the request for an additional wall sign at 2880 West Maple Road for the following reason:

1. No hardship or necessity shown for additional signage.

ayes: 4
nays: 0
absent: 1 - Dziurman

MOTION TO DENY CARRIED

ITEM #4. Variance Requested, KSI Sign Company, 770 West Maple, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting a permit to install a wall sign, 43' x 3', with an area of 129 square feet. The sign ordinance does not permit a sign larger than 75 square feet in an industrial zoned district. They appealed to retain a roof sign that was on this building by previous owner. The board denied the request. He has now revised his request to take sign off the roof and mount it on the wall.

Mr. Merle Kubiak was present. He indicated that the sign was on their building and nobody knew it was against the ordinance. Their intention was to use the same cabinet and get a new face for it. They will re-install the sign on the wall on the factory portion of the building.

The Chairman opened the public hearing.

No comments from the audience.

The Chairman closed the public hearing.

Motion by VandenBussche
Support by Rashid

MOVED, to approve relief to re-install the 43' x 3' sign on the factory portion of the building attached to the wall.

1. Removed portion of sign and now complies with type of sign allowed by ordinance.
2. Hardship to reduce to 75 square feet.
3. This will be the only sign on the site.

ayes: 4
nays: 0
absent: 1 - Dziurman

MOTION TO APPROVE CARRIED

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ITEM #5. Variance Requested, Koppy-Nemer Development Company, 3001 West Big Beaver, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner was requesting a permit to install three ground signs indicating the name of the office complex at Big Beaver and Coolidge. The site plan indicates that the signs will be placed at the corners of Golfview and Coolidge, Golfview and Big Beaver and Big Beaver and Coolidge. The sign ordinance permits only one sign for each office in an office complex. The site has all the signs permitted by ordinance already.

Mr. Mickey Nemer was present and indicated that they need some type of identification for the entire office complex. It will not be illuminated.

The Chairman opened the public hearing.

No comments from the audience.

The Chairman closed the public hearing.

Motion by VandenBussche
Support by Rashid

MOVED, to approve the two signs, one at Big Beaver and Coolidge and Big Beaver and Golfview for the following reasons:

1. No other identity of office complex.
2. It will aid the persons directed to this office complex.

ayes: 4
nays: 0
absent: 1 - Dziurman

MOTION TO APPROVE CARRIED

GENERAL

ITEM #6. Variance Requested, Michael S. Downs and Associates, 1250 West Maple, for relief of the BOCA Code.

Mr. VandenBussche explained that the petitioner is requesting a permit to alter a second story of an industrial building located at the corner of Maple and Northwood. The floor plan indicates the alteration will result in one enclosed stairway exiting from this second floor. The BOCA Code, under section 609.2, requires not less than two enclosed stairways servicing every story of a building

Mr. Michael Downs was present. He stated that the building is the old ice rink. The second floor is mostly storage. There will be a twenty-four hour security guard stationed on this second floor with the possibility of a second guard at different times. The one stairway comes down in the office area. Since there is basically only one person on the second floor, one stairway should be sufficient. They have a general alarm system and the building is not sprinklered. There are two stairways, one of them qualifying as an exit and the other one not qualifying but available.

Motion by VandenBussche
Support by Rashid

MOVED, to approve only one stairway from the second floor at 1250 West Maple with the stipulation that any storage on the second floor will be of noncombustible type material for the following reasons:

1. The occupancy load is not more than two at this time.
2. Hardship to provide second exit leading directly outside.
3. The second stair way that is not an approved means of egress shall be enclosed at both the top and bottom to provide additional safety for leaving the second level.

ayes: 4
nays: 0
absent: 1 - Dziurman

MOTION TO APPROVE CARRIED

April 2, 1980

ITEM #7. Variance Requested, Seymour Mandell, 1817 Mapletawn, for relief of the BOCA Code, Table 214.

Mr. VandenBussche explained that the petitioner is requesting to maintain a noncombustible wood floor over the shop toilets and receiving rooms of this industrial building. The BOCA Code, under table 214, line 10, does not permit lumber of any type, even noncombustible, in floor construction. The building is classified as a type "2B" and therefore would fall under this requirement.

Seymour Mandell was present. He indicated that everything in the building is noncombustible. The area in question will not be used as an occupied area. There is no access to the area and the lumber can be treated and given a noncombustible rating.

Motion by Halsey
Support by Spurr

MOVED, to approve relief to maintain a noncombustible wood floor at 1817 Mapletawn with the provision that the wood be protected with fire retardant coating in accordance with UL test which is more restrictive than manufacturing recommendations for the following reasons:

1. Underside will be protected with type X dry wall.
2. No occupancy or storage be allowed in this area.

ayes: 4
nays: 0
absent: 1 - Dziurman

MOTION TO APPROVE CARRIED

ITEM #8. Variance Requested, Victor J. Vaishvila, 2239 Camilla, for relief of Chapter 79, Article 18, Section 9.14, of the Troy City Code.

Mr. VandenBussche explained that the petitioner is requesting a permit to install an airconditioning condensor 3' from the side property line. Section 9.14 requires that the refrigerating equipment located outside of a structure shall not be located closer than 10' to a side property line.

Mr. Victor Vashvila was present. He indicated that his house is 6' from the property line. There is a 4'6" clearance from the fence to the chimney. The condensing unit will be screened from the street and there are no windows on that side of the house.

Motion by Spurr
Support by Rashid

MOVED, to approve relief to allow an air conditioning unit in the side yard at 2239 Camilla for the following reasons:

1. Approval of neighbors.
2. Fence screens from view of the street.

ayes: 4
nays: 0
absent: 1 - Dziurman

MOTION TO APPROVE CARRIED

April 2, 1980

ITEM #9. Variance Requested, Lane Bryant, Incorporated, 474 West Fourteen Mile Road, for relief of the BOCA Code, Section 432.2.3, paragraph 3.

Mr. VandenBussche explained that the petitioner is requesting permission to install an overhead rolling grill as a required means of egress from a tenant space. The BOCA Code, under Article 432, requires either a swinging door or automatic quick release rolling gate as a means of egress. The petitioners' plans indicate that the overhead grill will require a constant pressure push button to open it.

Mr. O.B. Colley of Lane Bryant was present. He indicated that they have been there for fifteen years. This is a new grill and can be opened manually.

Motion by VandenBussche
Support by Rashid

MOVED, to approve relief to use an overhead rolling grill as a means of egress at 474 West Fourteen Mile Road for the following reasons:

1. It is an existing store.
2. It will be a hardship to put in required type grill.
3. It is to have a thumb turn on the lock device instead of a key.
4. Grill will open on pressure of button.

ayes: 2
nays: 2 - Spurr, Halsey
absent: 1 - Dziurman

MOTION TO APPROVE FAILS - REQUEST DENIED

ITEM #10. Variance Requested, R. E. Dailey and Company and David Iron Works, Inc., 888 West Big Beaver Road, for relief of the BOCA Code, Section 616.2.1.

Mr. VandenBussche explained that the petitioner is requesting to maintain the intermediate stair landings width at 38" rather than adhering to the 44" required by the code. The overall width of the landing area is 44" except where the handrail reduces it to 38".

Mr. Richard Scherer and Mr. Irving Rosenbam were present. They indicated that the landings and handrails are already in place and they are working towards a completion date. The landing is encroaching onto space at one location. The distance between the handrails is within one inch of the ordinance. They do not feel that it constitutes a safety hazard.

Motion by Spurr
Support by VandenBussche

MOVED, to approve relief to allow the intermediate stair landings to be 38" at 888 West Big Beaver for the following reasons:

1. The area of actual restriction is very minor.
2. Does not constitute a safety hazard.

ayes: 4
nays: 0
absent: 1 - Dziurman

MOTION TO APPROVE CARRIED

ADJOURNMENT

Building Code Board of Appeals meeting adjourned at 3:10 p.m.

GV/bd

MB
FS

