

A meeting of the Building Code Board of Appeals was held on Wednesday, October 10, 1979 at the Troy City Offices. The meeting was called to order by Chairman, Ted Dziurman at 1:30 p.m.

PRESENT: Ted Dziurman  
Chairman

Gerald VandenBussche  
James Halsey  
Kulsam Rashid

ABSENT: Donald Spurr

ITEM #1. Approval of September 5, 1979 minutes

Motion by Halsey  
Support by Rashid

MOVED, to approve the minutes of September 5, 1979 as written

ayes: 4  
nays: 0  
absent: 1

MOTION TO APPROVE CARRIED

RENEWALS

ITEM #2. Rottman Construction Company, northeast corner of Kirts and Crooks, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting renewal of relief granted by this board in April of 1979 to maintain a nonaccessory sign in an office zoned district. The sign relates to apartment rental and is used as a directional type sign to enable people to locate the apartment complex. The original request was for this sign to be temporary until the complex was completed. The board granted this relief for a period of six months. The apartment complex is not completed as of yet and they are requesting an additional time period.

Mr. Al Rottman was present. He stated that he would like the variance extended until the end of the year.

Motion by Halsey  
Support by Rashid

MOVED, to approve relief until January 1, 1980.

ayes: 4  
nays: 0  
absent: 1

MOTION TO APPROVE UNTIL January 1, 1980 CARRIED

TABLED

ITEM #3. Styl-Rite Homes, 985 Bridge Park Drive, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting to maintain a 4' x 3' sign indicating that a subdivision under construction is patrolled by a guard service. Since the sign does not relay a message specifically with the site that it is located and does not qualify as a real estate sign it is considered a nonaccessory sign. This board granted relief for a period of two years in 1977. The petitioner has expressed a desire to extend this relief as they have started a second phase of this subdivision. This item was tabled at the last regular meeting to enable the petitioner to be present.

Mr. Jerry Lynn was present. He indicated that he would like a two year extension on the sign in order to patrol the homes under construction. There are 80 sites left to build on.

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Motion by Rashid  
Support by Halsey

MOVED, to approve relief for two years or until such time that the subdivision is completed.

ayes: 4  
nays: 0  
absent: 1

MOTION TO RENEW FOR TWO YEARS CARRIED

ITEM #4. Gerald Floch, 33473 Dequindre, for relief of the BOCA Code, Section 1208.18.

Mr. VandenBussche explained that the petitioner had requested relief to maintain a cooking grill in the kitchen without a fixed fire suppression system. The relief was granted in March of 1979 for a period of six months, as the petitioner had indicated that he was going to modernize the kitchen equipment and it would comply with the code. Since that time, this modernization has not come about.

Kulsam Rashid indicated that she spoke to Mr. Floch and he indicated to her that at this time he was not going to remodel.

The petitioner was not present.

Motion by Halsey  
Support by Rashid

MOVED, to deny relief of the fire suppression system and that the petitioner be instructed to install a fire suppression system at 33473 Dequindre.

ayes: 4  
nays: 0  
absent: 1

MOTION TO DENY CARRIED

PUBLIC HEARINGS

ITEM #5. Natures Image, 4210 Rochester Road, for relief of Chapter 83.

Mr. VandenBussche explained that the petitioner is requesting a permit to maintain a 6' wood fence along the front property line adjacent to Lamb Road. The fence ordinance, Chapter 83, does not permit fences higher than 30" in a required front setback.

Mr. Randy Pardee was present. He indicated that the fence is to help discourage vandalism and create a screen along the road. He felt that is is a good aesthetic fence.

The Chairman opened the public hearing.

Mr. John Ciccone objected. Mrs. Hearn's objected. Two letters of objection on file.

Motion by Halsey  
Support by Rashid

MOVED, to deny relief of a 6' wood fence in the front setback at 4210 Rochester Road. for the following reasons:

1. No hardship shown.
2. The number of objections on file.

ayes: 4  
nays: 0  
absent: 1

MOTION TO DENY CARRIED

ITEM #6. Trojan Development, 6953 Northpointe, for relief of Chapter 79, Section 857.3.1. of the Troy City Codes.

Mr. VandenBussche explained that the petitioner is requesting permission to maintain a single family residence that was built without gutters or downspouts. Section 857.3.1 requires that all exterior walls shall be provided with gutters and downspouts to dispose of roof drainage.

Mr. Charles Cinader was present. He stated that the homeowner does not want gutters and downspouts. There is an overhang of 1' to 2' on this residence.

Motion by VandenBussche  
Support by Halsey

MOVED, to approve relief to eliminate the gutters and downspouts at 6953 Northpointe for the following reasons:

1. The house has substantial overhang to divert the water away from the basement.
2. The soil is not conducive to holding water.
3. It is a hardship for the builder to install gutters and downspouts when the homeowner requested that they be left off.

ayes: 4  
nays: 0  
absent: 1

MOTION TO APPROVE CARRIED

ITEM #7. Vincent Lubin, 1064 Brooklawn, for relief of the BOCA Code, Section 724.

Mr. VandenBussche explained that the petitioner is requesting a permit to enclose a carport and the plans do not indicate concrete footings as required by section 724. The carport is an existing open structure attached to a single family dwelling and was originally built without footings. The petitioner is requesting to complete the enclosing of it but is requesting relief of the requirement for the concrete footings.

Mr. Vincent Lubin was present. He indicated that the carport is 80% erected. It would be a hardship to dig a foundation under the existing carport.

Motion by Halsey  
Support by VandenBussche

MOVED, to approve relief to eliminate the foundation under the carport at 1064 Brooklawn for the following reason:

1. It would be a hardship to provide footings at this time since the building has been there for twenty years.

ayes: 4  
nays: 0  
absent: 1

MOTION TO APPROVE CARRIED

ITEM #8. Jerald A. Bock (Faith Lutheran Church), 37635 Dequindre, for relief of the BOCA Energy Conservation Code.

Mr. VandenBussche explained that the petitioner is requesting permission to construct an addition to a church that will have high hat electrical fixtures. This type of fixture, unless it is listed by a recognized testing laboratory for the use does not comply with the energy code for ceiling insulation. The petitioner is proposing to use fixtures that do not have this listing.

Mr. Gerald Bock was present. He indicated that the ceiling of the church is constructed of cedar. It is his impression that if they install the boxes it will create a heat build up. They need ventilation. The church is empty 90% of the time. The only time the church is used is on Saturday and Sunday.

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Motion by Halsey  
Support by Rashid

MOVED, to approve relief of the BOCA Energy Conservation Code at 37635 Dequindre for the following reasons:

1. To box existing high hats could pose a fire hazard.
2. To remove and replace the fixtures at this time would cause undue financial hardship.
3. Limited use of building should not cause energy waste

ayes: 4  
nays: 0  
absent: 1

MOTION TO APPROVE CARRIED

ITEM #9. Olga's Kitchen, 388 West Fourteen Mile Road, for relief of the BOCA Code, Article 6.

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Mr. VandenBussche explained that the petitioner is requesting a permit to complete a tenant space at the Oakland Mall that will have an enclosed second level with one staircase for accessibility. The BOCA Code, under Article 6 requires not less than two independent exitways from every level and these stairways must be enclosed in partitions having a fire resistance rating of not less than two hours. Article 6 also requires that the stairway shall be so arranged to lead directly to the street or an area of refuge. The petitioners plans indicate only this one open metal stairway that will be discharging directly into the tenant space.

Mr. Kontos was present. He indicated that they can provide a stairway leading directly to the outside. There will be no permanent occupancy on the second floor. It will be used for storage only.

Motion by Halsey  
Support by VandenBussche

MOVED, to approve relief of Article 6 of the BOCA Code at 388 West Fourteen Mile Road for the following reasons:

1. Enclosed stairway per the drawing submitted at this time and that enclosure meet the requirements of the code.
2. The second floor shall not be used for uses other than storage and mechanical.

ayes: 4  
nays: 0  
absent: 1

MOTION TO APPROVE CARRIED

ADJOURNMENT

Building Code Board of Appeals adjourned at 2:30 p.m.

