

The meeting of the Building Code Board of Appeals was held Monday, September 20, 1976 at the Troy City Offices. The meeting was called to order by Thomas Marcucci, Acting Chairman, at 1:30 P.M.

PRESENT: Eugene Scheff (arrived 1:40)
Chairman

Thomas Marcucci
Gerald VandenBussche
Don Spurr

ABSENT: James Halsey

ITEM #1. Approval of minutes, August 26, 1976

Motion by Spurr
Support by VandenBussche

MOVED, that the minutes of August 26, 1976 be approved as written

ayes: All - 3
nays: none
absent: 2

MOTION CARRIED

ITEM #2. Variance Requested, J.J. Egnatious, 1735 East Fourteen Mile Road, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting relief to erect a second sign at 1735 East Fourteen Mile Road. Chapter 85 permits only one sign with a total square foot area of 75 square feet in an industrial zoned district. This site already has a wall sign on the building and the proposed new sign will be a 4' x 6' sign located near the entrance to their site. This item was tabled at our last regular meeting as the petitioner was out of town on the date of the meeting.

Mr. Egnatious was present and stated that they do have a hardship in the fact that they are located approximately 1,000 feet from the highway. He did not feel that a smaller sign would be sufficient as it would not be visible to the clientele. Therefore, making it difficult for them to locate his warehouse.

The Chairman opened the public hearing.

No comments from the audience.

No letters on file

Motion by Spurr
Support by VandenBussche

MOVED, that the request at 1735 East Fourteen Mile Road for a ground sign be approved for the following reasons:

1. There is a definite hardship in as much as the building is located so far from the street.
2. The sign is reasonable in size.

ayes: All - 4
nays: none
absent: 1

MOTION CARRIED

D1

ITEM #3. Variance Requested, Townsend Neon, Inc. (Elias Brothers), 931 East Big Beaver, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting relief to erect a wall sign on the rear of the Elias Brothers Restaurant on Big Beaver Road. The site presently has a wall sign and a ground sign as permitted by Chapter 85. The second wall sign will exceed permitted signage for a tenant in a business district. Chapter 85 permits only one wall sign not to exceed 10% of the face of the structure. This sign will not only violate the amount of signs but also the allowable square footage for this site.

Mr. Thomas Larcher, Mr. Frank Music, Assistant Manager and Mr. Rober Vicker, Superintendant of Elias Brothers were present. They indicated that the restaurant could not be identified from Rochester Road for the southbound traffic, therefore, their need for signage on the rear of the building.

The Chairman opened the public hearing.

No comments from the audience.

Five letters of approval on file from John and Muriel Reynar, 814 East Big Beaver; Desolina Serafini, 840 East Big Beaver; John and Marjorie McCormick, 790 East Big Beaver; Joseph Piscopo 866 Hartland; and Keith Milam of First Federal Savings at 751 East Big Beaver.

Motion by VandenBussche
Support by Spurr

MOVED, that the wall sign variance requested at 931 East Big Beaver be denied for the following reasons:

1. No hardship established.
2. There is adequate sign identification permitted in the ordinance to cover the shopping center.

ayes: All - 4
nays: none
absent: 1

MOTION CARRIED

ITEM #4. Variance Requested, Robert C. Mounsey (Magic Pan Restaurant), 2850 Coolidge, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting to erect six signs that will total 375 square feet in area for the restaurant use in the Somerset Mall Complex. Chapter 85 permits one wall sign not to exceed 125 square feet for the proposed use. The petitioner is indicating wall signs on the north and east elevations of their structure that will refer to the name of the restaurant. They also indicate wall signs on the west and south elevations indicating a logo and menu served at the site.

Mr. Mounsey, Project Manager of Magic Pan Restaurants, was present and indicated that since their application to the board they have eliminated the desire to erect three signs on the dome and now only wish to have two signs. These dome signs would be illuminated. There would also be two logo signs on the south and west elevation that would not be illuminated and one menu sign on the west elevation.

The chairman opened the public hearing.

No comments from the audience.

No letters on file

Motion by Scheff
Support by Marcucci

MOVED, that the request for relief of Chapter 85 at 2850 Coolidge be denied for the following reasons:

1. The building has adequate exposure from Coolidge.
2. One sign seems to be sufficient with no undue hardship.

ayes: All - 4
nays: none
absent: 1

MOTION CARRIED.

ITEM #5. Variance Requested, Sidney Krandall and Sons Jewelry, 755 West Big Beaver, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting relief to erect two wall signs on the canopy entrance to their tenant space. Chapter 85 permits only one sign in an OSC district indicating the signature name of the building and requires that all tenants be identified on a group identification sign. The ordinance does not provide for individual sign identification for each tenant. The petitioners application indicates that he has a hardship of identification as to where his tenant space is located in the office complex.

Mr. Roger Sherman of Sherman Associates and Mr. Boris Gains, Officer of Sidney Krandall and Sons, were present. They indicated that there is a need for the additional signage from the parking lot as they are a retail business in an office complex. Their business depends on customers being able to locate their business location. Due to the fact that they are in an office complex they will not be servicing the needs of the occupants of the building but will depend on outside clientele.

The chairman opened the public hearing.

No comments from the audience.

One letter of approval on file from Gilbert Silverman of Village Green Management Company.

Motion by VandenBussche
Support by Spurr

MOVED, that one sign not to exceed twenty square feet for tenant identification be approved for the following reason:

1. Being a business establishment in an office complex makes it difficult in finding the location of the tenant site.

ayes: All - 4
nays: none
absent: 1

MOTION CARRIED.

ITEM #6. Variance Requested, Spitzer Fence Company, 5578 Bingham, Lot #627, Stoneridge #2 Subdivision, for relief of Chapter 83.

Mr. VandenBussche explained that the petitioner is proposing to erect a 4' chain link fence in what is considered the required front yard setback of Highbury Drive. The site is located at the corner of Bingham and Highbury and the required setback from Highbury Drive is 30'. The proposed fence would extend approximately 7' into this required setback, enclosing an area to be used for the purpose of a dog run. Chapter 83 does not permit fences higher than 30" in the required front setbacks of residential districts.

Mr. William Green, owner of 5578 Bingham, was present and indicated that this dog run will be 25' away from the sidewalk and that he will be planting shrubbery in front of the dog run so that it will not be visible from the street. He does not have any plans to fence in the rest of the remaining yard.

The Chairman opened the public hearing.

No comments from the audience.

Three letters of objection on file from Mr. and Mrs. William Fleming, 5680 Bingham; William Snyder, 2457 Highbury; and Ronald Grover, Jr. of 2339 Highbury.

Motion by VandenBussche
Support by Spurr

MOVED, that the fence variance requested at 5578 Bingham be approved for the following reasons:

1. The enclosure is minor
2. A 4' chain link fence does not appear detrimental to the area.
3. The petitioner has indicated he would landscape the area around the fence so that it would not be noticeable.

ayes: All - 4
nays: none
absent: 1

MOTION CARRIED

ITEM #7. Variance Requested, Michigan National Bank, 900 Tower Drive, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting to erect one group sign, 8' x 12', indicating the name of their banking facility at the Northfield Financial Tower. Chapter 85 permits only one sign indicating the signature name of an office building and a group identification of tenants in the building. The site presently has these two signs and this proposed sign would be an individual tenant identification sign that would not be permitted in an office district.

Mr. Russin, President of the bank, Art Connolly from Connolly Signs, Mr. Henry Ulman, Representative of the bank, and Mr. Ivan Benda of Chrysler Realty were present. Mr. Russin indicated that the existing identification on the group sign is too small for passing motorists to read and thereby would like to erect an individual tenant sign to direct customers to their bank. If they have this individual sign they would remove their name from the group identification sign.

The Chairman opened the public hearing.

No comments from the audience.

No letters on file

Motion by Spurr
Support by Marcucci

MOVED, that the request for relief of Chapter 85 at 900 Tower Drive be denied for the following reason:

1. No hardship was demonstrated.

ayes: All - 4
nays: none
absent: 1

MOTION CARRIED

ITEM #8. Variance Requested, The Budd Company, 3155 West Big Beaver, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting to erect three wall signs that will total 225 square feet in area. The wall signs will be located on the north, south and east elevations of an office building in the Koppy Nemer Development at Big Beaver and Coolidge. Chapter 85 permits only one wall sign indicating the signature name of an office building and a group identification sign for the tenants of the building. Individual signs for tenants are not permitted unless the tenant happens to be the signature name of the building. Even in this case, only one sign would be permitted.

Mr. Robert Mecker of the Budd Company, Mr. Ken Neuman, Architect, and Mr. Mickey Nemer of Koppy Nemer were present. Mr. Mecker indicated that this would be their world headquarters and the building would be used only for offices with no manufacturing and would have a display area. The Budd Company would be the major tenant of this building and would have a separate entrance which would necessitate the need for a sign indicating their location. The two signs at the top of the building would be above the parking deck and could be seen from Coolidge or Big Beaver.

The chairman opened the public hearing.

No comments from the audience.

No letters on file

Motion by Spurr
Support by VandenBussche

MOVED, the two signs, one on the north and one on the south be approved for the following reasons:

1. Identification is needed at those points and is not needed on the east.

ayes: 2
nays: 2 - Marcucci, Scheff
absent: 1

MOTION TO APPROVE FAILS

Motion by Spurr
Support by VandenBussche

MOVED, that the request for relief of Chapter 85 at 3155 West Big Beaver be tabled until the next regular meeting.

ayes: All - 4
nays: none
absent: 1

MOTION CARRIED

ITEM #9. Variance Requested, Harry A. Bogorad, West Fourteen Mile Road, Oakland Mall, for relief of Article 4, BOCA Basic Building Code.

Mr. VandenBussche explained that the petitioner is requesting relief to locate a kiosk that will have a 15' separation between the kiosk and the store fronts in the south area of the Oakland Mall. Article 4 of the BOCA Basic Building Code requires a minimum 20' separation between kiosks and/or other stores. The section of the BOCA code relative to the location of kiosks in a mall was given to the board members.

Mr. Mossman, representing Oakland Mall and Harry Bogorad were present. Mr. Mossman stated that the kiosk has been in operation for the past 22 months and has not created any problem. There is sufficient walkway left between the kiosk and the store to provide ample room for customers to be able to maneuver comfortably. Mr. Mossman indicated that the mall does not have any plans for additional kiosks to be located in the mall.

Motion by VandenBussche
Support by Spurr

MOVED, that the variance requested at the Oakland Mall for relief of Article 4 of the BOCA Basic Building Code be denied for the following reasons:

1. The mall has places to locate a kiosk that would comply with the building code.
2. The south mall is more important for egress travel of emergency nature.

ayes: All - 4
nays: none
absent: 1

MOTION CARRIED

ITEM #10. Variance Requested, Rodney Lesner, 2792 Waterloo, for relief of the One and Two Family Dwelling Code, Section R211.

Mr. VandenBussche explained that the petitioner is requesting to install windows in the sleeping areas of a house that is under construction at the captioned address. These windows will have an openable area of approximately three square feet and a maximum dimension of approximately eighteen inches. Section R211 of the one and two family dwelling code requires that sleeping rooms have at least one openable window or exterior door to permit emergency exit and these windows should provide not less than five square feet of openable area with no dimension less than 22". The dwelling is under construction at the present time and the building inspector noted the violation at the time of the rough inspection and the petitioner is appealing this violation.

The petitioner was not present.

Motion by Spurr
Support by Scheff

MOVED, that the request for relief of the One and Two Family Dwelling Code, Section R211 at 2792 Waterloo be denied for the following reasons:

1. No hardship shown
2. The petitioner was not present

ayes: All - 4
nays: none
absent: 1

MOTION CARRIED

ITEM #11. Adjournment

Motion by Spurr
Support by Marcucci

MOVED, that the Building Code Board of Appeals adjourn at 4:15 p.m.

ayes: All - 4
nays: none
absent: 1

MOTION CARRIED

GV/bd