

The meeting of the Building Code Board of Appeals was held Thursday, October 3, 1974 at the Troy City Offices. The meeting was called to order by Eugene Scheff, Chairman, at 7:40 p.m.

PRESENT: Eugene Scheff  
Chairman

Gerald VandenBussche  
Richard Graham  
Mike Kohut  
James Halsey

ITEM #1. Approval of minutes, August 22, 1974

Motion by Halsey  
Support by Graham

MOVED, that the minutes of the August 22, 1974 meeting be approved as written.

yeas: All - 5  
nays: none  
absent: 0

TABLED

ITEM #2. Variance Requested, Donald McColley/Nolan Brothers, 1320 E. Big Beaver, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is proposing to erect a ground sign that will be 255 square feet in area and 25' in height. The sign ordinance limits the square footage of signs to 75 square feet and the height to 12' in a M-1 district. The site plan indicates this sign will be located adjacent to I-75 and relates to the availability of mini warehousing facilities that they lease. This item was tabled at our last regular meeting to allow the board to study the use and design of the buildings and also to allow the petitioner the benefit of a full board.

The petitioner was not present.

One letter of approval on file from Delta Model Co., 1360 E. Big Beaver.

Motion by Kohut  
Support by Halsey

MOVED, that the variance requested at 1320 E. Big Beaver, for relief of Chapter 85, be denied for the following reasons:

1. No hardship was shown.
2. Sufficient identification can be obtained and remain within the ordinance.
3. The petitioner was not present, thereby, showing a lack of interest.

yeas: All - 5  
nays: none  
absent: 0

D-1

PUBLIC HEARINGS (fences)ITEM #3. Variance Requested, Jack Hanna, 538 E. Long Lake, for relief of Chapter 83.

Mr. VandenBussche explained that the petitioner is proposing to erect a fence 6' in height that will be located in what is considered the front setback of a residential district. The sign ordinance does not permit fences higher than 30" in this setback. The site plan indicates this 6' fence is constructed of wood and extends to the front property line on Long Lake and is approximately 132' in length along this front property line.

Mr. Hanna was present and stated that the fence is needed for added protection for his property as there has been a couple of break-ins, it would discourage people from using this property as a short cut, it would eliminate motorcyclists from using this property, and it would help deflect some of the noise from the major thoroughfare.

The Chairman opened the public hearing.

Mr. Lavender, 4848 Belzair; Mr. Nido, 4876 Belzair; and Mr. Tunstall, 4826 Belzair, were present and stated that they had no objections to the fence, but would object if the fence meant an expansion of the swim club.

No letters on file.

Motion by Graham  
Support by VandenBussche

MOVED, that the variance requested, at 538 E. Long Lake, for relief of Chapter 83, be denied for the following reasons:

1. No hardship was shown.
2. A fence in keeping with the limitations of the ordinance would be sufficient protection for this property.

yeas: All - 5  
nays: none  
absent: 0

ITEM #4. Variance Requested, Thomas Schoenrock, 3018 Waterfall Drive, for relief of Chapter 83.

Mr. VandenBussche explained that the petitioner is proposing to erect a 6' fence that will be constructed out of wood in what is considered the front setback of Big Beaver Road. The site is located at the corner of Waterfall and Big Beaver, and the fence ordinance limits the fence height to 30" in what is considered the front setback of a residential district.

Mr. Schoenrock was present and stated that the fence is needed for protection from Big Beaver Road, and would help to deflect some of the noise from this thoroughfare.

The Chairman opened the public hearing.

Mrs. Rittenberry, 2593 E. Big Beaver, was present and stated that she had no objections.

Letters of approval on file from Mr. Jones, 3035 Waterfall; Mr. Abdou, 3026 Waterfall; Mr. Paull, 2689 E. Big Beaver; and Fullerton Home Builders, Inc. 21751 W. Eleven Mile, Sfld.

Motion by Kohut  
Support by VandenBussche

MOVED, that the variance requested at 3018 Waterfall Drive, for relief of Chapter 83, be denied for the following reasons:

1. No hardship was shown.
2. A fence in keeping with the limitations of the ordinance would be sufficient protection for this property.
3. A potential hazard to visibility could occur, when the entire right-of-way of Big Beaver is developed, if a solid 6' wood fence is installed.

yeas: 4  
nays: 1 (Halsey)  
absent: 0

October 3, 1974

ITEM #5. Variance Requested, Kenneth R. Kline, 2626 Rainbow, for relief of Chapter 83.

Mr. VandenBussche explained that the petitioner is proposing to erect a 4' wire fence in what is considered a front setback of a residential district. The site is located at the corner of Rainbow and Waterfall and the portion of the fence installed along the Waterfall Street right-of-way would be considered in violation of the ordinance as the height limit for this area is 30".

A representative for Mr. Kline was present and stated that Mr. Kline could not be present as his wife was in the hospital. He stated that the fence would not be detrimental to the area and is needed for protection of rear yard area.

The Chairman opened the public hearing.

Mrs. Rittenberry, 2593 E. Big Beaver, was present and stated that she had no objections.

Mr. O'Brien, 2593 Rainbow, was present and stated that he had no objection.

Letters of approval on file from Mr. Reyes, 3078 Otter; Mr. Paull, 2689 E. Big Beaver; Mr. Jones, 3035 Waterfall; Mr. Abdou, 3028 Waterfall; and Mr. Volchko, 2605 Rainbow.

Motion by Halsey

Support by VandenBussche

MOVED, that the variance requested at 2626 Rainbow, for relief of Chapter 83, be approved for the following reasons:

1. There were no objections from adjacent neighbors.
2. It will not be detrimental to the neighborhood.
3. It will allow the petitioner greater use of his rear yard area.

yeas: 3

nays: 2 (Kohut, Graham)

absent: 0

PUBLIC HEARINGS (signs)ITEM #6. Variance Requested, Cummings & Co., 1950 W. Maple Road, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is proposing to erect a sign at the site of Bob Borst, Lincoln-Mercury, that will be 21 square feet in area. The sign ordinance limits signs for a planned auto center to one, not to exceed 200 square feet. The site presently contains four signs of various square footage ranging from 20 to 480 square feet. This sign would result in violation of number and square footage of signs permitted for this use. The ordinance does permit signs not in excess of 20 square feet if it indicates a specific service on the site in an auto dealership, but this sign message merely indicates a type of car that is sold at this dealership.

Ms. Schmitt, representing Cummings & Co., was present and stated that this dealership needs identification for the Capri model as not all of the Lincoln-Mercury dealerships sell this particular car. Mr. Borst was also present and stated that Ford Motor Co. will not let them incorporate the advertising of the Capri model into the main Lincoln-Mercury signs already located on the site.

The Chairman opened the public hearing. No comments from the audience.

No letters on file.

Motion by Graham

Support by VandenBussche

MOVED, that the variance requested at 1950 W. Maple, for relief of Chapter 85, be denied for the following reasons:

1. Adequate exposure for their product can be obtained within the limits of the sign ordinance.
2. The site has legal nonconforming signs and any increase would be detrimental to the area.

yeas: 4

nays: 1 (Halsey)

absent: 0

October 3, 1974

ITEM #7. Variance Requested, Thunderbird Lanes, 400 W. Maple, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is proposing to erect a ground sign at the corner of their building that will be 40' in height and would be considered a second sign as the complex already has the name of the bowling alley on the outside wall. Chapter 85 does not permit more than one sign in an industrial district and limits the height of this sign to 12'. The plans indicate that this sign will be in the shape of a bowling pin with the words "bowling" vertically on it.

Mr. Walby was present and stated that they feel they need the added identification as several of the patrons have expressed difficulty in finding their location. He also stated that one of their signs had to be removed for the widening of Maple Road, and relocation of that sign would not be feasible as it would be obscured from traffic view caused by the building located next door.

The Chairman opened the public hearing. No comments from the audience.

No letters on file.

Motion by Graham  
Support by VandenBussche

MOVED, that the variance requested at 400 W. Maple, for relief of Chapter 85, be approved with the stipulation that the height of the sign will not exceed 25 feet. This is granted for the following reasons:

1. The sign that they have removed was considerably larger than the proposed sign.
2. It will not be detrimental to the area.
3. There were no objections from surrounding property owners.

yeas: All - 5  
nays: none  
absent: 0

ITEM #8. Variance Requested, Sunnymede Apartments II, 565-629 Morse, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting approval for temporary installation of ten multi-color pennants to be placed along the property line and block wall on the west side of the site. These pennants will be used to attract rental prospects for their complex. Chapter 85 designates flags/pennants of this nature would be considered a sign and the ordinance states that multiple complexes may have one sign not to exceed 20 square feet indicating their rental availability.

Ms. Naimark, representing Sunnymede Apartments II, was present and stated that because of the construction of the Mastin Drain prospective customers tend to think that these apartments are not available and are still under construction.

The Chairman opened the public hearing. No comments from the audience.

One letter on file from Ruth James, 324 Morse Street, stating her objections.

Motion by Halsey  
Support by Scheff

MOVED, that the variance requested at 565-629 Morse, for relief of Chapter 85, be approved for the following reasons until December 31, 1974.

1. The pennants will be erected for a limited period of time only.
2. It will not be detrimental to the area.
3. There is a hardship due to the construction of the Mastin Drain.

yeas: 3  
nays: 2 (Kohut, VandenBussche)  
absent: 0

October 3, 1974

ITEM #9. Variance Requested, First Citizens Bank, 1441 Maple Road, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is requesting to erect a 2'-6" x 12' double face illuminated ground sign at the drive entrance on Stephenson Highway. The plan indicates the sign will be 42" high and will be used to identify access to their site from Stephenson Highway. The sign ordinance permits only one sign indicating the name of a building in an office district. The site presently has a large building identification sign on Maple Road.

The petitioners were present.

The Chairman opened the public hearing.

No comments from the audience.

Letters of approval on file from Quist Typewriter Co., 1717 Stephenson, and H. L. Blachford, 1855 Stephenson.

Motion by Halsey  
Support by Graham

MOVED, that the variance requested at 1441 Maple Road, for relief of Chapter 85, be approved for the following reasons:

1. There is a hardship in providing identification for the access to their site from Stephenson Highway.
2. It will not be detrimental to the area.
3. There were no objections from adjacent property owners.

yeas: All - 5  
nays: none  
absent: 0

ITEM #10. Variance Requested, Troy Commons, 901 E. Big Beaver, for relief of Chapter 85.

Mr. VandenBussche explained that the petitioner is proposing to erect canopy identification signs for various tenants located in the Troy Commons Shopping Center. The signs they propose would be 60" long and 8" high mounted to the underside of the canopy at right angles to the storefronts. The sign ordinance allows only one wall sign for each tenant in a shopping center. This type of sign does not meet the definition of any permitted sign in the ordinance. Consequently, it is prohibited as dictated under Section 85.9 (3).

Mr. Drane, representing Troy Commons, was present and stated that once the shopper is under the canopy they are unable to identify the stores in the complex.

The Chairman opened the public hearing.

No comments from the audience.

Letters of approval on file from Patricia Barlow, 29346 Wellington, Sfld., and Mr. Reynar, 814 E. Big Beaver.

Motion by Graham  
Support by Halsey

MOVED, that the variance requested at 901 E. Big Beaver, for relief of Chapter 85, be approved for the following reasons:

1. There is a hardship in the need to identify the stores for shoppers once they are under the canopy on the pedestrian walk.
2. There were no objections from adjacent property owners.
3. It will not be detrimental to the area.

yeas: A  
nays: 1 (VandenBussche)  
absent: 0

ADJOURNED: 3:50 P.M.