



**MINUTES
OF
THE REGULAR MEETING OF
BUILDING BOARD OF APPEALS
OF
CITY OF ANN ARBOR**

March 9, 2005

The regular meeting of the Building Board of Appeals was held on Wednesday, March 9 2005 at 1:30 p.m. in the Council Chambers located in City Hall, 100 N. Fifth Ave., Ann Arbor, Michigan.

I. The meeting was called to order at 1:35 p.m. by Chairman Ken Winters.

II. Roll Call:

Members Present: (5) K. Winters P. Darling, S. Callan,
R. Reik, D. Darling

Members Absent: (0) None.

Staff Present: (3) A. Savoni, R. Heemstra, L. Bowen

III. Approval of minutes

No minutes available.

IV. APPEALS & ACTION - UNFINISHED

None.

V. APPEALS & ACTION - NEW

1. 2005-B-8, 315 S. First St.

Requesting a variance from Section 1009.6 of the 2003 Michigan Building Code which states: "A flight of stairs shall not have a vertical rise greater than 12 feet between floor levels or landings.

Ronald Mucha and Steve Dykstra were present to speak on behalf of this appeal.

Staff Report

Morningside Ann Arbor LLC, owner's of this property is requesting a variance from Section 1009.6 of the 2003 Michigan Building Code.

Discussion

R. Mucha explained request as well as the nature of the sloping roofs.

Steve Dykstra also spoke on this request.

A. Savoni stated that staff was not in support of this request.

After further discussion;

P. Darling moved, supported by, S. Callan to grant a variance from Section 1009.6 of the 2003 Michigan Building Code to allow an equivalent form of construction with the following contingencies:

- 1. A single stair to the roof that has a landing of less than 12 ft. floor to floor with a walkway and guardrail system to each balcony on the fifth level. This would permit the individual circular stairs in each dwelling unit to exceed the 12 ft. floor-to-floor requirement.**

S. Callan stated the walkway is maintained and guardrails be installed.

P. Darling amended motion to state two means of egress.

The vote to grant the variance was as follows:

Ayes: (3) S. Callan, R. Reik, D. Darling

Nays: (2) P. Darling, K. Winters

Absent: (0) None.

Motion carried. Variance granted as stated.

- 2. 2005-B-9, 310 S. State St.**

Requesting a variance from the following sections of the 2003 Michigan Building Code:

Section 1208 that states: "Occupiable spaces, habitable spaces and corridors shall have a ceiling height of not less than 7 feet 6 inches."

Section 903.2.10 which states: “An automatic sprinkler system shall be installed throughout every story or basement of all buildings where the floor area exceeds 1,500 square feet and where there is not provided at least one of the following types of exterior wall openings:

- 1. Openings below grade that lead directly to ground level by an exterior stairway.**
- 2. Openings entirely above the adjoining ground level totaling at least 20 square feet in each 50 linear feet or fraction thereof, of exterior wall in the story on at least one side.**

Wendy Shinde was present to speak on behalf of this appeal.

Discussion

W. Shinde explained request.

R. Heemstra stated the two exits are close together and a sprinkler and smoke detector system will be required.

S. Callan stated if the boiler pipe could be moved to the north wall there shouldn't be a problem with the ceiling height

T. Serra also spoke on this request.

After further discussion;

Motion #1:

R. Reik moved, supported by, **P. Darling** to grant a variance from Section 1208 of the Michigan Building Code to allow habitable space with a ceiling height of 7 ft. with the following contingencies:

- 1. A tenant space wide fully automatic smoke detector system shall be installed per the Fire Marshal approval**
- 2. An existing steam pipe shall be moved from the egress path.**

The vote to grant the variance was as follows:

Ayes: (3) K. Winters, S. Callan, D. Darling

Nays: (2) R. Reik, P. Darling

Absent: (0) None.

Motion carried. Variance granted as stated.

Motion #2:

R. Reik moved, supported by D. Darling to grant a variance from Section 903.2.10 to exempt the tenant space from the required fully automatic sprinkler system throughout the tenant space with the following contingencies:

- 1. A tenant space wide fully automatic smoke detector system shall be installed per the Fire Marshal approval**

The vote to grant the variance was as follows:

Ayes: (0) None.

Nays: (5) K. Winters, S. Callan, D. Darling, R. Reik, P. Darling

Absent: (0) None.

Motion carried. Variance denied as stated.

- 3. 2005-B-10, 209-211 N. Fourth Ave.**

Requesting a variance from Section 715.4 of the 2003 Michigan Building Code that states, "Glazing in fire window assemblies shall be fire protection rated in accordance with this section and Table 715.4." Table 715.4 establishes a fire resistance rating of 1-1/2 hour assembly for windows in an exterior wall with a fire-rating grater than one hour.

John Barrie was present to speak on behalf of this appeal.

Staff Report

John Barrie of John Barrie Associates, Architects, architect for this property is requesting a variance from Section 715.4 of the 2003 Michigan Building Code.

Discussion

J. Barrie explained request.

A. Savoni stated the sprinklers should be located on both sides of the window.

R. Heemstra stated there should be one interior and one exterior sprinkler head.

After further discussion;

P. Darling moved, supported by, **R. Reik** to grant a variance from Section 715.4 to allow an unrated opening in six locations on the south side of the building with the following contingencies:

1. **Sprinkler heads shall be provided on the inside and the outside of window at each opening upon Fire Marshal approval.**
2. **If any construction takes place on the adjacent property to the south of this building the windows shall be filled to comply with the required fire resistant rating of the wall.**

The vote to grant the variance was as follows:

Ayes: (5) K. Winters, S. Callan, P. Darling, R. Reik, D. Darling

Nays: (0) None

Absent: (0) None.

Motion carried. Variance granted as stated.

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

None.

VIII. REPORTS & COMMUNICATIONS

None.

IX. AUDIENCE PARTICIPATION - GENERAL

None.

X. ADJOURNMENT

There being no further business to come before the Board, moved that the meeting be adjourned. Chair Ken Winters adjourned the meeting at 2:45 p.m.

Respectfully submitted,
Lynn Bowen
Lynn Bowen, Secretary
Building Board of Appeals

Kenneth Winters, Chair

Dated 3-9-05 BBA Minutes