



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

**April 13, 2005**

The regular meeting of the Building Board of Appeals was held on Wednesday April 13, 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 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, D. Warsinski  
P. Green

III. Approval of minutes

No minutes available.

IV. APPEALS & ACTION - UNFINISHED

None.

V. APPEALS & ACTION - NEW

1. 2005-B-11, 720 W. Jefferson

Requesting a variance from Section R310.1 of the  
2003 Michigan Residential Code

**Dan Meyer was present to speak on behalf of this appeal.**

Discussion

**D. Meyer** explained request.

**D. Warsinski** asked there was an interconnected smoke detector system.

**D. Meyer** stated yes.

After further discussion;

**R. Reik** moved, supported by, **P. Darling** to allow a variance from Section R310.1 of the 2003 Michigan Residential Code to permit existing windows, which currently do not meet egress requirements in the bedrooms to stay in place with the following contingencies:

1. **Hardwired interconnected smoke detectors be installed per Fire Marshal approval**

The vote to grant the variance was as follows:

**Ayes:** (1) **R. Reik**

**Nays:** (4) **K. Winters, S. Callan, P. Darling, D. Darling.**

**Absent:** (0) **None.**

**Motion carried. Variance denied as stated.**

3. **2005-B-13, 2101 Tuomy**

**Requesting a variance from Section R305.1 of the 2003 Michigan Residential Code.**

**Mike Miller and James Mc Bride** were present to speak on behalf of this appeal.

Discussion

**M. Miller** explained request.

**P. Darling** mentioned the concern of the smoke detector system in the home.

**K. Winters** stated 6 ft. 3 inches is very low.

**J. Mc Bride** spoke on this request, and stated this space will be a home office.

**K. Winters** asked the Board if they felt better with the egress window being moved.

**P. Darling moved, supported by, R. Reik to allow a partial finished basement to be used as a television room, home office with a ceiling height of not less than 6 ft. 8 inches high, in the main spaces with a drop down to 6 ft. 3 inches below the steel beam and the mechanical drop, and down to 6 ft. 2 inches with the plumbing with the following contingencies:**

- 1. Hardwired interconnected smoke detector system be installed per Fire Marshal approval**
- 2. A second egress window shall be provided by the side of the house serving the main living space.**

The vote to grant the variance was as follows:

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

**Nays: (0) None.**

**Absent: (0) None.**

**Motion carried. Variance granted as stated.**

**5. 2005-B-15, 3302 Alton Court**

**Requesting a variance from Section R305.1 of the 2003 Michigan Residential Code.**

**John, Quinn, Sarah Quinn and Mike Rogers (Contractor) were present to speak on behalf of this appeal.**

Discussion

**S. Quinn** explained request.

**M. Rogers** spoke on request.

**A. Savoni** recommends Hardwired interconnected smoke detectors be installed.

**J. Quinn** spoke on request.

After further discussion;

D. Darling moved, supported by, S. Callan to grant a variance from Section R305.1 of the 2003 Michigan Residential Code to allow the installation of a finished ceiling in the basement with the lowest part of the ceiling being 6 ft. 3 inches and 6 ft. 4 inches under a plumbing soffit with the following contingencies:

1. Hardwired interconnected smoke detector system will be installed throughout the home
2. A 6 ft. 2 inch tall door will be installed in the unfinished utility space.

The vote to grant the variance was as follows:

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

Nays: (0) None.

Absent: (0) None.

Motion carried. Variance granted as stated.

2. 2005-B-12, 320-322 E. Liberty

Requesting a variance from Section 704.8 of the 2003 Michigan Building Code.

D. Darling chose to abstain from voting on this appeal.

Michael Decoster, Dave Wilson and Mark DeMaria were present to speak on behalf of this appeal.

Discussion

M. Decoster explained request.

P. Darling asked petitioners if the building was fully sprinkled.

M. Decoster stated yes.

D. Wilson spoke on this request.

M. DeMaria spoke on request.

After further discussion;

**P. Darling moved, supported by, S. Callan to grant a variance from Section 704.8 of the 2003 Michigan Building Code to allow windows to be installed on the opening of the property line with the following contingencies:**

- 1. The window area shall not exceed the area sketch on A7.**
- 2. An automatic fire suppression system shall be installed with heads on each side of the window to comply with the equivalency of a one and a half hour rated opening**
- 3. If anything is built on the adjacent property the windows shall be closed, with a fire rated construction that is required in the code. The applicant shall return to the Building Board of Appeals for a new appeal**
- 4. If the wall is one hour rated, the sprinklers will only need to be on one side.**

After further discussion;

The vote to grant the variance was as follows:

**Ayes: (4) R. Reik, K. Winters, S. Callan, P. Darling**

**Nays: (0) None.**

**Absent: (0) None.**

**Motion carried. Variance granted as stated.**

**4. 2005-B-14, 320-322 E. Liberty**

**Requesting a variance from Section 704.8 of the 2003 Michigan Building Code.**

**Michael Decoster, Mark DeMaria were present to speak on behalf of this appeal.**

**Discussion**

**M Decoster explained request.**

**P. Darling** asked if there was a concern about dumping the CO2 on the adjacent property.

**M. Decoster** stated the property is a City parking lot.

**M. DeMaria** spoke on this request.

**D. Wilson** spoke on this request.

After further discussion;

**S. Callan moved, supported by, to grant a variance from Section 704.8 to allow the first floor parking structure to be serviced by a rear louver to exhaust the space into the outside, with the following contingencies:**

- 1. If an adjacent building is built within 10 ft. of the property line, in the future the louver will be closed and routed vertically through the building. The dedicated location of the future shaft will be indicated on the building permit drawing.**
- 2. One sprinkler head will be on the inside per Fire Marshal approval.**

The vote to grant the variance was as follows:

**Ayes: (4) R. Reik, K. Winters, S. Callan, P. Darling**

**Nays: (0) None.**

**Absent: (0) None.**

**Motion carried. Variance granted as stated.**

**VI. UNFINISHED BUSINESS**

None.

VII. NEW BUSINESS

None.

IX. AUDIENCE PARTICIPATION - GENERAL

None.

X. ADJOURNMENT

There being no further business to come before the Board, S. Callan moved that the meeting be adjourned. The meeting was adjourned at 3:03 p.m. by Acting Chairman Paul Darling.

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

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Kenneth Winters, Chairman

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Dated -4-13-05 BBA Minutes