



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

December 14, 2005

The regular meeting of the Building Board of Appeals was held on Wednesday, 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 1:33 p.m. by Chair 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

Corrected minutes of March 9, 2005 & May 11, 2005.
- IV. APPEALS & ACTION - UNFINISHED

None.
- V. APPEALS & ACTION - NEW
 1. 2005-B-40, 2444 Dundee Dr.

Requesting a variance from Section R305.1 of the 2003 Michigan Residential Code which requires a 7 foot 0 (zero) inch ceiling height in a basement with habitable space, and allows beams/girders not less than 4 feet on center to project below, a maximum of 6 inches.

Bill Gross was present to speak on behalf of this appeal.

Discussion

B. Gross explained request.

A. Savoni stated staff is supportive of the request and suggested a fully automatic building wide smoke detection system be a condition of the variance.

R. Heemstra agreed with staff.

After further discussion;

R. Reik moved, supported by, **P. Darling** to grant a variance from **Section R305.1** of the **2003 Michigan Residential Code** to allow a ceiling height of **6 feet 9 inches** in the basement with the following contingencies:

- 1. Hardwired interconnected smoke detectors are installed throughout the house per Fire Marshal approval.**

The vote to grant the variance was as follows:

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

Nays: (0) None

Absent: (1) D. Darling

Motion carried. Variance granted as stated.

- 2. 2005-B-41, 2705 Colony Rd.**

Requesting a variance from Section R305.1 of the 2003 Michigan Residential Code which requires a 7 foot 0 (zero) inch ceiling height in a basement with habitable space, and allows beams/girders not less than 4 feet on center to project below, a maximum of 6 inches.

Jim Acheson was present to speak on behalf of this appeal.

Discussion

J. Acheson explained request.

P. Darling asked the petitioner if the ceiling height from the bathroom would be 7 ft.

J. Acheson stated that area will be open and the will only be blocked between the two rooms.

After further discussion;

P. Darling moved, supported by, **R. Reik** to grant a variance from **Section R305.1** of the **2003 Michigan Residential Code** to allow the modification of an existing basement to allow the installation of a new bathroom and a new egress window with the following contingencies:

- 1. Hardwired interconnected smoke detectors installed per Fire Marshal approval**
- 2. No finish ceiling will be installed in the basement.**
- 3. The existing ductwork be raised up to provide at least a 6 foot 4 inch minimum clear space below them.**

The vote to grant the variance was as follows:

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

Nays: (0) None

Absent: (1) D. Darling

Motion carried. Variance granted as stated.

3. 2005-B-42, 1130 Mixtwood St.

Requesting a variance from Section R305.1 of the 2003 Michigan Residential Code which requires a 7 foot 0 (zero) inch ceiling height in a basement with habitable space, and allows beams/girders not less than 4 feet on center to project below, a maximum of 6 inches.

Diane Swanson was present to speak on behalf of this appeal.

Discussion

D. Swanson explained request and mentioned the ductwork was an issue that was not mentioned previously.

K. Winters suggested tabling this request until this information is given to the Board.

After further discussion:

R. Reik moved, supported by, P. Darling to table this request until further notice with the proper information being given to the Board.

The vote to table the variance was as follows:

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

Nays: (0) None

Absent: (1) D. Darling

Motion carried. Request tabled as stated.

4. 2005-B-43, 1102 Baldwin Ave.

Requesting a variance from section R403.1.4 of the 2003 Michigan Residential Code that states, “All exterior footings and foundations shall extend 42 inches below actual grade.” Exception 2 states, “The footings in detached accessory structures not exceeding 400 square feet in area...shall extend 12 inches below grade to undisturbed soil.”

Naomi Woloshin and Richard Tolman were present to speak on behalf of this appeal.

Discussion

N. Woloshin explained request.

R. Tolman spoke on the request.

K. Winters stated there needs to be an indication of details of the new and old portion braced separately.

After further discussion;

P. Darling moved, supported by, R. Reik to grant a variance from section R403.1.4 of the 2003 Michigan Residential Code to allow an addition to an existing wood frame garage to exceed 400 sq. ft. with the following contingencies:

1. The addition be built with a foundation that goes below the frost depth.
2. The new addition be structurally independent from the existing building so it is allowed to move vertically.
3. Additional details to be shown to the Building Department prior to construction.

The vote to grant the variance was as follows:

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

Nays: (0) **None**

Absent: (1) **D. Darling**

Motion carried. Variance granted as stated.

5. **2005-B-44, 1107 Prospect St.**

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

- *R311.5.1 Stairways shall not be less than 36 inches in clear width at all points above the permitted handrail height and below the required headroom height.*

R 311.5.3.1 The maximum riser height shall be 8-1/4" inches.

Michael Van Goor was present to speak on behalf of this appeal.

Discussion

M. Van Goor explained request

K. Winters asked M. Van Goor if the plan was to move the outside wall 4 inches.

M. Van Goor stated yes, above grade.

After further discussion;

R. Reik moved, supported by, P. Darling to grant two variances R311.5.1 and R 311.5.3.1 to allow a stair width of 2 feet 8 inches in width and to permit a maximum riser height of 8 1/2 inches. This is in consideration of Appendix J of the Code with the following contingencies:

- 1. Hardwired interconnected smoke detector system shall be installed per Fire Marshal approval.**

The vote to grant the variance was as follows:

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

Nays: (0) None

Absent: (1) D. Darling

Motion carried. Variance granted as stated.

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

None.

VIII. REPORTS & COMMUNICATIONS

Anthony Savoni spoke to the Board regarding a letter written to the Board regarding the second extension for a sales trailer for the condominiums located at 315 S. First St.

K. Winters asked for a motion to grant an extension regarding 315 S. First St.

R. Reik moved, supported by P. Darling to extend the extension regarding 315 S. First St.

The vote to grant the extension was as follows:

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

Nays: (0) None

Absent: (1) D. Darling

Motion carried. Extension granted as stated.

M. Van Goor returned to ask the Board questions regarding the headroom.

The Board agreed to change the motion for the riser at 1107 Prospect St. to be 8 ½ inches instead of 8 3/8 inches.

IX. AUDIENCE PARTICIPATION - GENERAL

None.

X. ADJOURNMENT

There being no further business to come before the Board, K. Winters moved that the meeting be adjourned. Chair Ken Winters adjourned the meeting at 2:27 p.m.

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

Kenneth Winters, Chair

Dated 12-14-05 BBA Minutes