



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

**February 8, 2006**

The regular meeting of the Building Board of Appeals was held on Wednesday, February 8, 2006 at 1:32 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 1:32 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: (4) R. Heemstra, A. Savoni, Jim Baker,  
L. Bowen

III. Approval of minutes

The agreed to table both months of minutes for the regular meetings of December 14, 2005 & January 11, 2006.

IV. APPEALS & ACTION - UNFINISHED

1. 2005-B-42, 1130 Mixtwood St. (Returning)

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

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

Discussion

**D. Swanson** explained request.

**R. Heemstra** expressed concern for the low ceiling height at the ductwork.

**K. Winters** stated the 6 ft. 0 inch is much too low for a soffit, and suggested to take off the dry wall and the 2x4 and leave them exposed.

**K. Winters** stated the Board could table the request and request a revised plan or vote on the request for a 6 ft. 10 inch for the ceiling for a bedroom or family room.

**D. Swanson** stated she could submit a revised plan for the bathroom.

After further discussion;

**R. Reik** moved, supported by **P. Darling** to grant a variance from Sections R305.1 to allow a ceiling height of no less than 6 ft. 10 inches in the basement with the following contingencies:

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

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.**

V. APPEALS & ACTION - NEW

1. 2006-B-4, 626 S. Division St.

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

**Peter Beal** was present to speak on behalf of this appeal.

Discussion

**P. Beal** explained request.

**R. Heemstra** expressed concern with the low ceiling height.

**P. Beal** asked the Board to table this request.

After further discussion;

**P. Darling moved, supported by, R. Reik to table this request pending new designs being turned in to the Planning & Development Services Unit for plan review.**

The vote to table this request was as follows:

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

**Nays: (0) None.**

**Absent: (0) None.**

**Motion carried. Request tabled as stated.**

**2. 2006-B-5, 350 S. Main St.**

**Requesting a variance from Section 704.0 of the 2003 Michigan Building Code.**

**Ron Thomas (MAVDevelopment), Alan Philbrick and Mark Malky were present to speak on behalf of this appeal.**

Discussion

**R. Thomas** explained request and showed a diagram to the Board.

**A. Savoni** stated previous requests similar to this one have been approved with contingencies.

**K. Winters** stated the double window aligns with the size of the other windows.

**R. Thomas** stated yes, the double windows are aligned with the other windows.

After further discussion;

**P. Darling moved, supported by, R. Reik to grant a variance from Section 704.0 to allow the installation of a window on the north side of this building per attached plans with the following contingencies:**

- 1. The building shall be equipped with an automatic fire suppression system and additional heads be provided above the interior side of each opening.**

2. The opening shall not exceed the area that is shown on the attached plans
3. Any construction taking place on the adjacent property, below the windows or adjacent to the windows the opening shall be filled in to comply with the fire rating of the code or the applicant shall return to the Building Board of appeals to request a new appeal.

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.**

*Jim Baker (Electrical Inspector for the City of Ann Arbor arrived at this meeting at 2:08 p.m.)*

**3. 2006-B-6, 122 W. Washington St.**

**Requesting a variance from Section 230.2 of the 2002 National Electrical Code.**

**Jeff Laswell was present to speak on behalf of this appeal.**

Discussion

**J. Laswell** explained request.

**A. Savoni** stated staff does not support this request.

**J. Baker** (electrical inspector) spoke on this request.

**R. Heemstra** expressed concern regarding labels and proper signage for Fire Personnel.

After further discussion;

**D. Darling** moved, supported by, **P. Darling** to grant a variance from Section 230.2 to allow two electrical services to remain in the combined two buildings which we are now considering one complex with the following contingencies:

1. All electricity can be de-energized from each service location by the use of a remote control that will also access the other location.
2. The control wires between the two locations to be installed in a fire resistant raceway.
3. This control devise shall be clearly labeled as one of the services disconnects.
4. A plaque shall define the emergency locations.

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, K. Winters moved that the meeting be adjourned. Chair K. Winters adjourned the meeting at 2:40 p.m.

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

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Kenneth Winters, Chair

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Dated 2-8-06 BBA Minutes