



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

May 10, 2006

The regular meeting of the Building Board of Appeals was held on Wednesday, May 10, 2006 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 Kenneth Winters.

II. Roll Call:

Members Present: (6) K. Winters, S. Callan, P. Darling, D. Darling,
R. Reik, R. Hart

Members Absent: (0) None.

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

III. Approval of Minutes

S. Callan moved, supported by R. Reik to approve the minutes of March 9, 2006. The minutes were approved with corrections.

IV. APPEALS & ACTION - UNFINISHED

1. 2006-B-13, 1400 Creekbend Ct.

Requesting a variance from the Section R310.1 of the 2003 Michigan Residential Code that states: "...Every sleeping room shall have at least one openable emergency escape and rescue opening. Where emergency escape and rescue openings are required, they shall have a sill height of not more than 44 inches above the floor."that states: "...Every sleeping room shall have at least one openable emergency escape and rescue opening. Where emergency escape and rescue openings are required, they shall have a sill height of not more than 44 inches above the floor."

Claudia Sauer was present to speak on behalf of this appeal.

Discussion

C. Sauer explained request and presented a drawing for the Board to review.

A. Savoni stated staff does not approve this request.

P. Darling asked the petitioner if the bench was strong enough to hold the weight of a person.

C. Sauer stated yes, the bench is very strong.

After further discussion;

D. Darling moved, supported by, S. Callan to grant a variance from the Section R310.1 a permanent bench has been installed below the window, finding this to comply with the code.

The vote to grant the variance was as follows:

**Ayes: (6) K. Winters, S. Callan, P. Darling, D. Darling, R. Reik
R. Hart**

Nays: (0) None.

Absent: (0) None.

Motion carried. Variance granted as stated.

V. APPEALS & ACTION - NEW

1. 2006-B-17, 1224 Packard St.

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

- 1. Table 1607.1 “Minimum Uniformly Distributed Live Loads and Minimum Concentrated Live Loads” requires in assembly areas with moveable seats that the floor be designed to a uniform live load of 100 psf.**

2. **Section 705.6.1 “Stepped Buildings”** *Where a fire wall serves as an exterior wall for a building and separates buildings having different roof levels, such wall shall terminate at a point not less than 30 inches above the lower roof level, provided the exterior wall for a height of 15 feet above the lower roof is not less than 1-hour fire-resistance-rated construction from both sides with openings protected by assemblies having a ¾-hour fire protection rating.*

Lorri Sipes and Haju Linda Lundquist were present to speak on behalf of this appeal.

Discussion

L. Sipes & H. Lundquist explained request.

R. Heemstra expressed concern regarding the capacity.

P. Darling asked if this structure was a two-story building

L. Sipes stated the structure is a one-story building.

R. Hart asked if the photograph represented a firewall

A. Savoni stated yes.

After further discussion;

P. Darling moved, supported by, R. Hart to allow a reduced live load uniformly distributed across the floor in this assembly building, provided the occupant load is limited to 250 people.

The vote to grant the variance was as follows:

Ayes: (1) R. Hart

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

Absent: (0) None.

Motion defeated Variance denied as stated.

After further discussion;

P. Darling moved, supported by, R. Reik to allow an equivalent form of construction in lieu of providing the 30-inch high wall at the property line, to allow a one hour rated ceiling assembly to be put in at a minimum of the portion of the building where the parapet is not 30 inch in height. Or the installation of an automatic fire suppression system throughout the building.

The vote to grant the variance was as follows:

Ayes: (6) R. Hart, K. Winters, S. Callan, P. Darling R. Reik, D. Darling

Nays: (0) None.

Absent: (0) None.

Motion carried Variance granted as stated.

2. 2006-B-18, 1004 Hutchins Ave.

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

- *R 311.5.3.2 The minimum tread depth shall be 9 inches.*
- *R 311.5.4 There shall be a floor or landing at the top and bottom of each stairway. The width of each landing shall not be less than the stairway served. Every landing shall have*

Cathleen Weber was present to speak on behalf of this appeal.

Discussion

C. Weber explained request.

Bruce Carter (Washtenaw Woodwrights) stated there was a clerical error on the plans that was turned in.

P. Darling asked if the stairway was brand new or existing.

A. Savoni stated the stairway is existing.

After further discussion;

P. Darling moved, supported by, R. Reik to grant a supplemental variance to the previous variance to modify the top landing size from 2 feet 7 inches to 27 inches with the following contingencies:

1. **Hardwired interconnected smoke detectors be installed throughout the home per Fire Marshal approval.**
2. **This variance will comply with Appendix J of the residential code.**

The vote to grant the variance was as follows:

**Ayes: (6) K. Winters, S. Callan, P. Darling, D. Darling, R. Reik
R. Hart**

Nays: (0) None.

Absent: (0) None.

Motion carried. Variance granted as stated.

3. **2006-B-19, 818 S. Forest Ave.**

Requesting a variance from section 1009.3 of the 2003 Michigan Building Code, which states: “*Stair riser heights shall be 7 inches maximum and 4 inches minimum. Stair tread depths shall be 11 inches minimum.*”

William Meier was present to speak on behalf of this appeal.

Discussion

W. Meier explained request as well as diagrams to the Board.

A. Savoni stated staff did not support this request.

W. Meier stated the situation is very unique.

R. Heemstra asked if the stair is one hour rated.

After further discussion;

R. Reik moved, supported by, R. Hart to allow a stair tread depth of 10 inches on the 3rd floor of the property with the following contingencies:

1. **All doors accessing the stairs will have door alarm equipment installed on the doors per Fire Marshal approval.**

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The vote to grant the variance was as follows:

Ayes: (5) K. Winters, R. Hart, P. Darling, D. Darling

Nays: (0) None.

Absent: (0) None.

Abstained: (1) S. Callan

Motion carried. Variance granted as stated.

4. 2006-B-20, 249 Crest Ave.

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

THIS WAS REQUEST WAS TABLED PER PETITIONER

5. 2006-B-21, 2635 English Oak Dr.

Requesting a variance from R806 -Vent clearance, that states: *“Where eave or cornice vents are installed, insulation shall not block the free flow of air. A minimum of a 1-inch space shall be provided between the insulation and the roof sheathing at the location of the vent.”*

Mike Forner was present to speak on behalf of this appeal.

Discussion

M. Forner explained request.

K. Winters asked if this type of insulation was also a vapor bearer.

M. Forner stated it is a closed cell.

After lengthy discussion;

P. Darling moved, supported by, **S. Callan** to allow the direct application of this foam insulation inside of the roof sheathing in these select locations as indicated on the plans.

We find this is in conformance with what the future code will permit, and is allowed under the 2004 ICC supplemental section.

The owner shall provide a written statement to the Building Department agreeing to the terms and agreeing to this type of insulation with the knowledge that it is presently against code.

The vote to grant the variance was as follows:

Motion carried. Variance

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

Nays: (2) R. Hart, K. Winters

Absent: (0) None.

Motion carried. Variance granted as stated.

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

None.

VIII. REPORTS & COMMUNICATIONS

A. Savoni mentioned to the Board that the City has changed the ordinance regarding abandoned houses. Mr. Savoni stated the Building Board of Appeals might be hearing these cases if there is a discrepancy.

IX. AUDIENCE PARTICIPATION - GENERAL

None.

X. ADJOURNMENT

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There being no further business to come before the Board, K. Winters moved that the meeting be adjourned. Chair Kenneth Winters adjourned the meeting at 2:49 p.m.

Respectfully submitted,

Lynn Bowen

Lynn M. Bowen, Secretary
Building Board of Appeals

Kenneth Winters, Chair

Dated 5-10-06 BBA Minutes