



**APPROVED MINUTES OF THE REGULAR SESSION OF  
THE HOUSING BOARD OF APPEALS OF THE CITY OF ANN ARBOR, MI  
100 NORTH FIFTH AVENUE - SECOND FLOOR – CITY COUNCIL CHAMBERS  
JULY 8, 2008**

The meeting was called to order at 1:30 p.m. by Chair Ron Suarez

**ROLL CALL**

Members Present: (5) R. Suarez, K. Busch, M. Goldstein, D. Fleece and A. Stuart

Members Absent: (2) L. Wessinger and C. Christiansen

Staff Present: (2) N. Sylvester and B. Acquaviva

**A. APPROVAL OF AGENDA –**

Moved by C. Christiansen, Seconded by M. Goldstein, **“to Approve the Agenda as Presented”** - *Approved as Presented without Objection.*

**B, APPROVAL OF MINUTES**

Draft Minutes of the June 3, 2008 Regular Session

Moved by D. Fleece, Seconded by K. Busch, **“to approve the June 3, 2008 Draft minutes as presented.”**

**On a Voice Vote – MOTION PASSED – UNANIMOUS**

**C. APPEALS & ACTION**

**C-1 710 West Stadium Blvd. – 2008-H-006**

The petitioner and owner, Tom Crawford, requests the following variances from the requirements of Chapter 105, the Ann Arbor Housing Code:

**Background**

N. Sylvester - The owner, Tom Crawford, requests the following variances from the requirements of Chapter 105, the Ann Arbor Housing Code:

1. Section 8:503, which requires that in a habitable room with a sloped ceiling at least fifty percent of the required floor area have a minimum seven foot ceiling height.
2. Section 8:500, which defines a bathroom as a room which affords privacy for the user.
3. Section 8:528, which requires minimum R-30 insulation in crawl spaces.

This is the first time this single family dwelling has been inspected as a rental property. Mr. Crawford states in his appeal that he has owned and occupied the dwelling for the past six years and that the previous owner renovated the attic space into a master bedroom and bathroom approximately twenty years ago.

Request #1: Due to the roofline, the second floor bedroom has a sloped ceiling. At the ridge the ceiling height is 7’4”. The room does not have a seven foot ceiling height for at

54 least fifty percent of the required floor area.

55 Request #2: The master bathroom on the second floor is not fully enclosed, thereby not  
56 providing privacy for the user.

57 Request #3: The second floor knee wall area does not have minimum R-30 insulation.

58

59 **Recommendation:**

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61 **Request #1:** Staff recommends the following motion: *I move to grant a variance from the*  
62 *requirements of section 8:503 to allow the existing sloped ceiling height in the second floor*  
63 *bedroom to remain because all three findings have been made.*

64

65 **Request #2:** Staff recommends the following motion: *I move to grant a variance from the*  
66 *requirements of section 8:500 to allow the partially enclosed bathroom to remain because*  
67 *all three findings have been made.*

68

69 **Request #3:** Staff recommends the following motion: *I move to grant a variance from the*  
70 *requirements of section 8:528 to allow the existing insulation under the rafters, because all*  
71 *three findings have been made.*

72

73 R. Farrakand – ( Fire Department Representative) – Stated the only issue the Fire Department  
74 would have is the smoke detector in the bedroom. There is a stairwell going up into that finished  
75 space that is all open and there was a smoke detector on the wall going up the stairs as you clear  
76 the first level, and one smoke detector in the bedroom, twenty feet away from the stairwell. The  
77 new code requires a smoke detector on each level and inside each bedroom. This will require  
78 another smoke detector on the stairwell level at the top of the stairs.

79

80 N. Sylvester – Noted that the petitioner has had an electrician install hard-wired, interconnected  
81 smoke detectors throughout the house. The one on the second floor in the bedroom is centered  
82 within the bedroom, and if it had been closer to the stairway, it could have served the purpose of  
83 being both within the bedroom as well as at the top of the stair, but twenty feet away was too  
84 great a distance. We will require an additional smoke detector, and it does need to be  
85 interconnected.

86

87 M. Goldstein – Are there any doors between the stair and the bedroom? (N. Sylvester, no, it's all  
88 open).

89

90 **Petitioner Presentation:**

91

92 Mr. Tom Crawford was present to speak on behalf of the appeal. He has owned the home for the  
93 last six years, and has moved and this would be a first time rental for this home. He stated that  
94 the house did not contain any doors between the first and second floor open space, and it was  
95 like this when he purchased the home. It also doesn't lend itself to that due to the open areas.  
96 As you go up the stairs on the left, it opens into the room and the top of the stairs to the left, it's  
97 open as well. There is a built in cabinet there at knee height, so there is no place to put a door in  
98 and have it closed off.

99

100 N. Sylvester – Also mentioned that although the shower isn't fully enclosed within that space, the  
101 way it is installed provides privacy within the toilet area. The only thing you'll see while you're in  
102 that bedroom is the bathroom sink. There are also two rooms on the first floor that are large  
103 enough to be used as bedrooms and they have access to the first floor bathroom. The bathroom

104 is between those two rooms, and presumably, the first floor renters would use that bathroom and  
105 the second floor renters would use the bathroom upstairs.  
106 R. Suarez – If you were to try to put a door on there, you'd be stopping the flow of air between the  
107 two upper windows. The bedroom upstairs is basically the entire former attic. While the square  
108 feet number of space may be small, the number of total cubic feet is actually quite spacious.  
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110 **Questions of Staff by the Board** – None.

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112 **Discussion by the Board**

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114 **MOTION #1**

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116 Moved by A. Stuart, Seconded by D. Fleece, "In regard to the property at 710 West Stadium  
117 Blvd., Appeal Number 2008-H-007, that a variance from the Housing Code, Section 8:503,  
118 that requires a habitable room have a sloped ceiling at least fifty percent of the required  
119 floor area and have a minimum of 7 foot ceiling height, provided that installation of an  
120 additional interconnected smoke detector be installed at the top of the stairs. A sixty day  
121 time period is allowed for compliance."  
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124 **On a Voice Vote** – MOTION TO APPROVE - PASSED – **UNANIMOUS (Variance Granted)**

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127 **MOTION #2**

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129 Moved by A. Stuart, Seconded by M. Goldstein, "In regard to the property at 710 West Stadium  
130 Blvd., Appeal Number 2008-H-007, that a variance be granted from the Housing Code,  
131 Section 8:500 (which defines the bathroom as a room that provides privacy for the user),  
132 as the bathroom in question is located in a one-user, one-bedroom unit and the additional  
133 configuration of the shower and toilet are behind a wall that does afford some privacy. "  
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136 **On a Voice Vote** – MOTION TO APPROVE – PASSED – **UNANIMOUS (Variance Granted)**

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139 **MOTION #3**

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141 Moved by A. Stuart, Seconded by K. Busch, "In regard to the property at 710 West Stadium  
142 Blvd., Appeal Number 2008-H-007, that a variance be granted from the Housing Code,  
143 Section 8:528 (which required R30 insulation in crawlspaces) to allow the current  
144 configuration and insulation remain as-is, as there is no reason to add additional  
145 insulation as doing so would not affect heating or cooling effectiveness."  
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147

148 **On a Voice Vote** – MOTION TO APPROVE – PASSED – **UNANIMOUS (Variance Approved)**

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151 **D. OLD BUSINESS** - None.

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153 **E. NEW BUSINESS** - None.

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**F. REPORTS & COMMUNICATIONS** – None.

**G. AUDIENCE PARTICIPATION – GENERAL** - None.

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**ADJOURNMENT**

Moved by C. Christiansen, Seconded by K. Busch, “that the meeting be adjourned.”

**On a Voice Vote – MOTION TO ADJORN PASSED - *UNANIMOUS***

Chair Ron Suarez adjourned the meeting at 1:58 p.m.

***(Submitted by: Brenda Acquaviva, Administrative Support Specialist V –  
Housing Board of Appeals)***