



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

**December 12, 2001**

The regular meeting of the Building Board of Appeals was held on Wednesday, December 12, 2001 at 1:00 p.m. in the Seventh Floor Conference Room of the City Center Building, 220 E. Huron, Ann Arbor, Michigan.

- I. The meeting was called to order at 1:08 p.m. by Chairman Kenneth Winters.
- II. Roll Call:  
  
Members Present: (6) K. Winters, S. Callan, P. Darling, R. Reik, D. Darling, J. Wurst  
  
Members Absent: (0) None  
  
Staff Present: (3) C. Boulard, D. Warsinki, L. Bowen
- III. Approval of minutes  
  
S. Callan moved, supported by R. Reik to approve the minutes of October 10, 2001 with corrections. J. Wurst moved, supported by, P. Darling to approve the minutes of November 14, 2001 with corrections. The minutes were approved unanimously.
- IV. APPEALS & ACTION - UNFINISHED  
  
None.

**V. APPEALS & ACTION - NEW**

**1. 2001-B-51, 3241 Buckhorn Ct.**

An exception from 2000 MRC R310.1 and R305.1 to allow steps beneath a non-conforming egress window and reduced ceiling heights for new basement finished areas. (2000 MRC R310.1, R305.1) Zone PUD.

**Michael Mann was present to speak on behalf of this appeal.**

**Staff Report**

The petitioner is proposing to finish portions of the basement of an existing residence for use as a study with bathroom and recreation room. The areas of non-compliance are as follows:

1. Egress window sill height for the basement habitable space egress window required under R310.1 is not allowed to exceed 44" above the floor. This distance is measured to the bottom of the clear opening available for egress. In this case, the petitioner proposes to install a 30" to 40" high platform with steps to access the required egress window.
2. Ceiling height: R305.1 requires a minimum 7'-0" ceiling height for the new basement finished spaces. Soffits, typically limited to a maximum of 48" in width, are allowed to extend up to 6" below the ceiling. In this situation, the petitioner proposes soffits of non-compliant height with width of up to 7'-0".

The petitioner proposes no measures to provide equivalent levels of safety.

An application for an appeal needs to be based on a claim that:

- a. The true intent of the Code or the rules legally adopted have been incorrectly interpreted,
- b. The provisions of the Code do not fully apply, (or)
- c. An equivalent form of construction is to be used.

**Staff**

Staff can not support either of the requests as neither is equal to or better than the requirements of the Code.

**Discussion**

**M. Mann** explained request.

**C. Boulard** asked Mr. Mann if there would be sleeping in the basement.

**M. Mann** stated no.

**C. Boulard** asked how much headroom would be available between the ceiling and the top of the landing.

**M. Mann** stated approximately 4 to 5 feet.

**C. Boulard** asked what ceiling height would be under the soffit.

**M. Mann** stated approximately 6.5 ft.

**D. Warsinki** stated there should be a recommendation for hardwired-interconnected smoke detectors installed throughout the house. Mr. Warsinki also recommended a limited area Fire Suppression system in the basement only.

**K. Winters** suggested tabling this appeal to give the Petitioner time to have completed plans to present to the Board members.

**S. Callan** stated the soffit issue should also be tabled.

**M. Mann** asked what the minimum requirement for the soffit would be.

**K. Winters** stated it would be 6 ft. 6 inches under the soffit, for a dimension of 4 ft.

**C. Boulard** stated, the required height is 7 feet and can drop up to 6 inches below the 7 ft.

After further discussion, the Board decided.

**P. Darling moved, supported by, R. Reik to table an exception from 2000 MRC R310.1 and R305.1 to allow steps beneath a non-conforming egress window and reduced ceiling heights for new basement finished areas.**

The vote to table the variance was as follows:

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

**Nays: (0) None**

**Absent: (0) None**

**Motion carried. Variance tabled as stated.**

2. 2001-B-52, 2525 S. Main

An exception from 1996 BOCA Mechanical Code 504.6 to allow increased vent lengths for dryer exhaust in new apartment buildings. (1996 BOCA Mechanical Code 504.6) Zone R4B.

**Walter Coponen was present to speak on behalf of this appeal.**

Staff Report

The petitioner is constructing new apartment buildings with laundry facilities in each unit. The above referenced section of the new Mechanical Code limits domestic clothes dryer ducts to 25' maximum length with reductions for elbows. The proposed installation exceeds the allowable length. The current 2000 Michigan Mechanical Code, which became effective after construction began on this project echoes the restriction of the 1996 BOCA Mechanical Code on this issue, but adds an exception to allow greater duct lengths provided the make and model of the dryer is known and the duct length is in accordance with the manufacturer's installation instructions. The petitioner is proposing to use new Code criteria.

An application for an appeal needs to be based on a claim that:

- a. The true intent of the Code or the rules legally adopted have been incorrectly interpreted,
- b. The provisions of the Code do not fully apply, (or)
- c. An equivalent form of construction is to be used.

Staff

Staff supports this request as what is proposed appears to be equivalent to the Code requirements.

Discussion

**W. Coponen** explained request.

**D. Warsinki** stated the build up of lint could cause a fire, scheduled cleaning is recommended.

**K. Winters** asked what type of ventilation duct is proposed.

**W. Coponen** stated it is made of a hard metal aluminum. The ducts are set below the floor system, and runs outdoors to have access to clean the vents from the laundry room. The outside cap is removed, and the scheduled cleaning is once per year.

After further discussion, the Board decided.

**P. Darling moved, supported by, R. Reik to grant an exception from 1996 BOCA Mechanical Code 504.6 to allow increased vent lengths for dryer exhaust in new apartment buildings.**

The vote to grant the variance was as follows:

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

**Nays: (0) None**

**Absent: (0) None**

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

3. 2001-B-53, 224 Charles

An exception from R907.3 2000 MRC to allow new roofing over 2 existing layers of roofing. (2000 MRC, R907.3) Zone R2A.

**David Mindell and Lisa Brush were present to speak on behalf of this appeal.**

Staff Report

The petitioner proposes to install a new aluminum shingle roof over 2 existing layers of roofing, one layer of cedar shakes and one layer of asphalt shingles.

R907.3 of the above Code requires that existing roof coverings be removed prior to installation of new roofing if two or more applications of any roof covering are in place.

An application for an appeal needs to be based on a claim that:

- a. The true intent of the Code or the rules legally adopted have been incorrectly interpreted,
- b. The provisions of the Code do not fully apply, (or)
- c. An equivalent form of construction is to be used.

Staff

Staff can not support this request as what is proposed is not as good or better than what the Code requires.

Discussion

**L. Brush** explained request.

**D. Warsinki** stated the added weight on the roof is a concern for the Fire Department.

**P. Darling** asked what the condition of the wood decking underneath is, and would there be added ventilation.

**L. Brush** stated the wood decking underneath is in good shape, and yes, there will be added ventilation.

**S. Callan** expressed concern regarding putting this roof on top of the existing.

**C. Boulard** stated concern regarding weight, even surface and problems with the roof when it is layered.

**L. Brush** asked if there was a possibility she could do more research and return in January.

After further discussion, the Board decided.

**S. Callan moved, supported by, R. Reik to table an exception from R907.3 2000 MRC to allow new roofing over 2 existing layers of roofing.**

The vote to table the variance was as follows:

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

**Nays: (0) None**

**Absent: (0) None**

**Motion carried. Variance tabled 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. The meeting was adjourned at 2:03 p.m. by Chairman Kenneth Winters.

Respectfully submitted,

**Lynn Bowen**

Lynn Bowen, Secretary  
Building Board of Appeals

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Kenneth Winters, Chairman

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Dated

12-12-01 BBA Minutes