



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

February 9, 2005

The regular meeting of the Building Board of Appeals was held on Wednesday, February 9, 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 Chairman 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, L. Bowen

III. Approval of minutes

P. Darling moved, supported by R. Reik to approve the minutes of, January 12, 2005 with minor corrections on pages 3 and 4. The minutes were approved unanimously.

IV. APPEALS & ACTION - UNFINISHED

None.

V. APPEALS & ACTION - NEW

1. 2005-B-4, 103 Longman Lane

Petitioner is requesting an exception from Section R305, Exception 4, of the 2003 Michigan Building Code which states *“Bathrooms shall have a minimum ceiling height of 6 feet 8” over the fixture and at the front clearance area for fixtures as shown in Figure R307. A shower or tub equipped with a shower-head shall have a minimum ceiling height of 6 feet 8 inches above a minimum area 30 inches by 30 inches at the shower head.”*

David Zyczynski and John Nielsen were present to speak on behalf of this appeal.

Staff Report

Petitioner is requesting an exception from Section R305, Exception 4, of the 2003 Michigan Building Code which states *“Bathrooms shall have a minimum ceiling height of 6 feet 8” over the fixture and at the front clearance area for fixtures as shown in Figure R307. A shower or tub equipped with a shower-head shall have a minimum ceiling height of 6 feet 8 inches above a minimum area 30 inches by 30 inches at the shower head.”*

Discussion

D. Zyczynski stated he was the homeowner but would let his father in law explain the request.

J. Nielsen explained the request.

D. Darling stated an exhaust fan would be a very good addition to this project.

K. Winters suggested this request be tabled until the petitioner can come back with a modification to the plans.

D. Zyczynski stated he would like the Board to vote on the request.

After further discussion;

D. Darling moved, supported by, **R. Reik** to grant a variance to allow the installation of a bathroom according to Exhibit C submitted with the following contingencies:

1. The width of the room shall be increased so that there is 21 inches between the edge of the tub and the edge of the toilet bowl.
2. An exhaust fan is installed in the bathroom.
3. The mirror height and the back of the vanity shall be 6 feet.

The vote to grant the variance was as follows:

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

Nays: (0) **None.**

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Absent: (0) None.

Motion carried. Variance granted as stated.

A. Savoni stated he would need revised drawings submitted.

2. 2005-B-5, 420 W. Huron St.

Petitioner is requesting a determination of the Building Classification for this existing building.

Ed Shaffran was present to speak on behalf of this appeal.

Staff Report

Petitioner is requesting a determination of the Building Classification for this existing building.

Discussion

K. Winters stated he would abstain from voting on this issue.

E. Shaffran explained request.

A. Savoni stated Mr. Shaffran has come before the Building Board of Appeals to determine the proposed use of this building, being that the building is neither assembly or residential.

After further discussion;

R. Reik moved, supported by, D. Darling to determine that the building classification for 420 W. Huron will be determined as an A3 classification as originally intended.

The vote to grant the variance was as follows:

Ayes: (3) P. Darling, R. Reik, D. Darling

Nays: (1) S. Callan

Abstained: (1) K. Winters

Absent: (0) None.

Motion carried. Variance granted as stated.

3. 2005-B-6, 1000 Oakbrook Dr.

1. Petitioner is requesting an exception from the following two sections of the 2000 Michigan Building Code.
2. Section 714.3.2 which states that, based on Table 714.3.2, the maxim width of a wired glass panel in a 1 and 1-1/2 hour door is 10”

Section 404.5, which states, “Atrium spaces shall be separated from adjacent spaces by a 1-hour fire barrier wall.” It contains an exception stating “A glass wall forming a smoke partition where automatic sprinklers are spaced 6 feet or less along both sides of the separation wall, or on the room side only if there is not a walkway on the atrium side, and between 4 and 12 inches away from the glass and so designed that the entire surface of the glass is wet upon activation of the sprinkler system.”

Mark Melchi and Carl Luckenbach were present to speak on behalf of this appeal.

Staff Report

Petitioner is requesting an exception from the following two sections of the 2000 Michigan Building Code.

1. Section 714.3.2 which states that, based on Table 714.3.2, the maxim width of a wired glass panel in a 1 and 1-1/2 hour door is 10”
2. Section 404.5, which states, “Atrium spaces shall be separated from adjacent spaces by a 1-hour fire barrier wall.” It contains an exception stating “A glass wall forming a smoke partition where automatic sprinklers are spaced 6 feet or less along both sides of the separation wall, or on the room side only if there is not a walkway on the atrium side, and between 4 and 12 inches away from the glass and so designed that the entire surface of the glass is wet upon activation of the sprinkler system.”

Discussion

C. Luckenbach explained request and the diagrams brought to the meeting.

M. Melchi also spoke on this request.

C. Luckenbach stated there is glass surrounding the Atrium.

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After further discussion;

Motion #1:

P. Darling moved, supported by, S. Callan to grant a variance from Section 714.3.2 to allow an 11-inch diameter opening in the one and a half hour rated door in lieu of a ten inch by ten inch square opening.

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.

Motion #2:

P. Darling moved, supported by, S. Callan to grant a variance from Section 404.5 to interpret the code that the door within the smoke partition section wall is permitted to be non rated with the following contingencies:

- 1. Sprinklers heads will be on each side of the glass, not less than 6 ft. on center, and shall be 4 – 12 inches away from the glass on each side of the opening.**
- 2. This complies with the Section 404.5.**

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, S. Callan moved that the meeting be adjourned. The meeting was adjourned at 2:50 p.m. by Chairman Ken Winters.

Respectfully submitted,

Lynn Bowen

Lynn Bowen, Secretary
Building Board of Appeals

Kenneth Winters, Chairman

Dated 2-9-05 BBA Minutes