



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

October 12, 2005

The regular meeting of the Building Board of Appeals was held on Wednesday, October 12, 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 p.m. by Chair Ken Winters.
- II. Roll Call:

Members Present:	(4)	K. Winters P. Darling, S. Callan, R. Reik
Members Absent:	(1)	D.. Darling
Staff Present:	(3)	A. Savoni, L. Bowen
- III. Approval of minutes

No minutes available.
- IV. APPEALS & ACTION - UNFINISHED
 1. 2005-B-25, 1907 Arborview (Returning)

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. Petitioner is also requesting a variance on Section R311.3 of the 2003 Michigan Residential Code that requires the minimum width of a hallway to be no less than 3 feet.

Priscilla Holt was present to speak on behalf of this appeal.

Discussion

P. Holt explained request

A. Savoni stated staff is generally supportive of this type of request, but there is a concern regarding the low ceiling at the door header. A. Savoni also read the Fire Marshall's typed comments in his absence.

P. Darling asked the petitioner if the furnace was new.

P. Holt stated yes.

K. Winters stated the 5 ft. 9 ¾ inch door height was not acceptable.

P. Darling asked the petitioner if the furnace was new or existing.

P. Holt stated the furnace is new.

K. Winters suggested tabling this request until the contractor can show key points to the Board.

After further discussion;

P. Darling moved, supported by, R. Reik to table this request until more information is brought back to the Board.

The vote to table the request was as follows:

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

Nays: (0) None.

Absent: (1) D. Darling

Motion carried. Variance tabled as stated.

V. APPEALS & ACTION - NEW

2. 2005-B-33, 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 a minimum dimension of 36 inches measured in the direction of travel.

David Vanderworp and Cathleen Weber were present to speak on behalf of this appeal.

Discussion

D. Vanderworp explained request.

A. Savoni stated staff is supportive of this request with a recommendation of a fully automatic building wide smoke detector system be installed and an egress window be installed on the second floor bedroom.

P. Darling asked the petitioner the ceiling height on the first floor.

D. Vanderworp stated 8 ft.

R. Reik asked if there was a light over the landing, and if there was a handrail to the right.

D. Vanderworp stated yes.

C. Weber also spoke on this request.

After further discussion;

R. Reik moved, supported by, S. Callan to allow a tread depth of 8 ft. 8 3/8 inch. and to allow the landing at the top of the stairs of 30 inches (2 ft. 7 inches) with the following contingencies:

- 1. Hardwired interconnected smoke detectors be installed throughout the building per Fire Marshal approval.**
- 2. An egress window be installed in the second floor bedroom.**

3. Allowance provided of Appendix J.

The vote to grant the variance was as follows:

Ayes: (3) K. Winters, S. Callan, R. Reik

Nays: (1) P. Darling

Absent: (1) D. Darling

Motion carried. Variance granted as stated.

3. 2005-B-34, 3128 Oakwood St.

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

- *R 311.5.3.1 The maximum riser height shall be 8-1/4".*
R 311.5.3.2 The minimum tread depth shall be 9 inches.

Patricia Harroun and Julia Bandow were present to speak on behalf of this appeal.

Discussion

P. Harroun explained request, also passing photographs to the Board.

J. Bandow also spoke on this request.

A. Savoni stated staff supports this request based on Appendix J, recommending a fully automatic smoke detector system be a condition of the variance, and an egress window be installed on the second window.

K. Winters suggested the request be tabled.

After further discussion;

R. Reik moved, supported by, S. Callan to table this request.

The vote to table the request was as follows:

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

Nays: (0) None.

Absent: (1) D. Darling

Motion carried. Variance tabled as stated.

4. 2005-B-35, 1731 Barrington Pl.

Requesting a variance from Section R311.5.2 of the 2003 Michigan Residential Code that states *"The minimum headroom on all parts of the stairway shall not be less than 6 feet 8 inches measured vertically from the sloped plain adjoining the tread nosing or from the floor surface of the landing or platform."*

David Aronoff and Dan Vanderworp were present to speak on behalf of this appeal.

Discussion

D. Aronoff explained request

A. Savoni stated staff would support this request and also read comments sent in from the Fire Marshall.

P. Darling asked if the headroom at the step was 6 ft. 3 inches.

D. Aronoff stated the headroom at the step is 6 ft. 5 inches.

After further discussion;

P. Darling moved, supported by, R. Reik to grant a variance from Section R311.5.2 of the 2003 Michigan Residential Code to allow a clear ceiling height in the basement stairway of not less than 6 ft. 5 inch. with the following contingencies:

1. The handrail is extended to the bottom section of the stairway.
2. The winders at the bottom of the stairway are rebuilt to improve the headroom.

3. **A fully automatic fire detection system shall be installed throughout the home per Fire Marshal approval.**

The vote to grant the variance was as follows:

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

Nays: (0) None.

Absent: (1) D. Darling

Motion carried. Variance granted as stated.

5. **2005-B-36, 1415 Morton Ave.**

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

- ***R311.5.1 Stairways shall not be less than 36 inches in clear width at all points above the permitted handrail height and below the required headroom height.***
 - ***R311.5.2 "The minimum headroom on all parts of the stairway shall not be less than 6 feet 8 inches measured vertically from the sloped plain adjoining the tread nosing or from the floor surface of the landing or platform.***
- R 311.5.3.2 The minimum tread depth shall be 9 inches.***

Michael Van Goor was present to speak on behalf of this appeal.

Discussion

M. Van Goor explained request as well as diagrams to the Board.

A. Savoni stated staff would be supportive, but has concerns regarding the headroom and an egress window needs to be installed as well as a fully automatic smoke detection system.

K. Winters asked if the bottom treads would be increased after the corner is turned.

M. Van Goor stated yes.

After further discussion;

P. Darling moved, supported by, **R. Reik** to grant a variance from Section R311.5.1 and from Section R311.5.2 to allow reconstruction of a basement stairway within the existing stairway well to allow a clear width of not less than 2 ft. 10 inches wide, and a riser height of not to exceed 8 ½ inches, a tread depth not be less than 8 ¾ inches plus a one inch nosing with the following contingencies:

1. **Hardwired interconnected smoke detectors be installed throughout the home per Fire Marshal approval**
2. **An egress window shall be installed in the basement.**

The vote to grant the variance was as follows:

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

Nays: (0) None.

Absent: (1) D. Darling

Motion carried. Variance granted as stated.

6. 2005-B-37, 442 S. Fourth Ave.

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

- ***R311.3 The minimum width of a hallway shall not be less than 3 feet.***
- ***R311.5.1 Stairways shall not be less than 36 inches in clear width at all points above the permitted handrail height and below the required headroom height.***

R 311.5.3.2 The minimum tread depth shall be 9 inches.

Doug Selby was present to speak on behalf of this appeal.

Discussion

D. Selby explained request and stated there were changes to the explanation that was actually turned in with the application.

A. Savoni stated staff is supportive of this request, with a fully automatic smoke detection system installed, and a second floor egress window installed. A. Savoni also read the comments from the Fire Marshal.

P. Darling asked if this home was a single family dwelling.

D. Selby stated yes.

After further discussion;

P. Darling moved, supported by, R. Reik to allow the existing hallway and stairway according to Appendix J with the following contingencies:

- 1. The doorway leading up to the third floor is removed.**
- 2. The winders are removed, and the stair be re-worked.**
- 3. An egress window is installed at the third level.**
- 4. A fully automatic fire detection be installed throughout the structure per Fire Marshal approval**
- 5. To allow an 8 ½ inch. tread depth at a 34 inch wide stairway and a 29 inch hallway serving the stairway.**

The vote to grant the variance was as follows:

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

Nays: (0) None.

Absent: (1) D. Darling

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. The meeting was adjourned at 3: 08 p.m. by Chair K. Winters.

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

Kenneth Winters, Chair

Dated 10-12-05 BBA Minutes