



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

**November 9, 2005**

The regular meeting of the Building Board of Appeals was held on Wednesday, November 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 1:34 p.m. by Chair Ken Winters.

II. Roll Call:

Members Present: (4) K. Winters P. Darling, S. Callan,  
D. Darling

Members Absent: (1) R. Reik

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

III. Approval of minutes

P. Darling moved, supported by S. Callan to approve the regular minutes of May 11, 2005 with corrections.

P. Darling moved, supported by D. Darling to approve the minutes of June 8, 2005 with **no** corrections.

D. Darling moved, supported by P. Darling to approve the minutes of July 13, 2005 with corrections.

D. Darling moved, supported by P. Darling to approve the minutes of August 10, 2005, with corrections.

P. Darling moved, supported by D. Darling to approve the minutes of September 14, 2005 with **no** corrections.

P. Darling moved, supported by S. Callan to approve the minutes of October 12, 2005 with corrections.

IV. APPEALS & ACTION - UNFINISHED

1. 2005-B-34, 3128 Oakwood St.

The applicant is requesting a variance from the following three 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.*

**R 311.4.2.1 Interior doors shall not be less than 6 feet 6 inches in height.**

**Patricia Harroun** was present to speak on behalf of this appeal.

Discussion

**P. Harroun** explained request.

**A. Savoni** stated staff is in support and would like to see an egress window on the second floor.

**R. Heemstra** stated staff is in support and would like to see fully wide smoke detector system as well as an egress window.

**P. Darling** asked petitioner if this room would be a sleeping room.

**P. Harroun** stated no, this will be a family room.

After further discussion;

**P. Darling** moved, supported by, **D. Darling** to grant a variance from Section *R 311.5.3.1 to allow a riser height of 8 7/8 inches and a tread depth of 8 1/2 inches and from Section R 311.4.2. to allow the doorway into the kitchen mud room area to be a height of 6 foot 5 inches. This complies with Section J of the Appendix that the existing construction around it prohibits it from being co-compliant, with the following contingencies:*

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

The vote to grant the variance was as follows:

**Ayes: (4) K. Winters, S. Callan, P. Darling, D. Darling**

**Nays: (0) None.**

**Absent: (1) R. Reik**

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

**2. 2005-B-25, 1907 Arborview Blvd.**

**No staff report: Additional information presented per Board request.**

**Patricia Holt was present to speak on behalf of this appeal.**

Discussion

**P. Holt** explained request along with the changes made and she also stated the heights of the rooms that the Board requested.

**K. Winters** stated the heights are too low and has already been built.

After lengthy discussion;

**Motion #1:**

**P. Darling moved, supported by S. Callan to grant a variance from Section 305.1 to allow the doorway located between the bottom of the steps and the studio with the following contingencies:**

- 1. The lintel is raised to provide a minimum clearance of 6 foot 3 inches above the finished floor.**
- 2. Hardwired interconnected smoke detectors be installed throughout the house per Fire Marshal approval**

The vote to grant the variance was as follows:

**Ayes: (0) None.**

**Nays: (4) K. Winters, S. Callan, P. Darling, D. Darling**

**Absent: (1) R. Reik**

**Motion failed. Variance denied as stated.**

**Motion #2:**

**P. Darling moved, supported by S. Callan to grant a variance from Section R305.1 to allow reduced ceiling heights in the hallway and in the restroom per the attached sketch showing a 6 foot 3 inch ceiling height above the toilet in the restroom and 6 foot 4 inches in the hallway sloping down to 5 foot 7 ½ inches in the hallway with the following contingencies:**

- 1. Hardwired interconnected smoke detectors be installed.**

The vote to grant the variance was as follows:

**Ayes: (0) None.**

**Nays: (4) K. Winters, S. Callan, P. Darling, D. Darling**

**Absent: (1) R. Reik**

**Motion failed. Variance denied as stated.**

**V. APPEALS & ACTION - NEW**

- 1. 2005-B-38, 424 Briarwood Cr.**

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

- Section 1208.2, *Occupiable spaces, habitable spaces and corridors shall have a ceiling height of not less than 7 feet 6 inches.***

***Section 1208.2.1, Any room with a furred ceiling shall be required to have a minimum ceiling height in two-thirds of the area thereof, but in no case shall the height of the furred ceiling be less than 7 feet.***

**Billy Crismon was present to speak on behalf of this appeal.**

**Discussion**

**B. Crismon** explained request.

**A. Savoni** stated staff does not support request.

**R. Heemstra** stated his concerns regarding a better sprinkler protection system.

After further discussion;

**D. Darling** moved, supported by, **S. Callan** to grant a variance from Section 1208.2.1 with the following contingencies:

1. Additional emergency lighting in the passageway to be installed.
2. The minimum soffit depth will be a minimum of 6 foot 8 <sup>3</sup>/<sub>4</sub> inches in height.

The vote to grant the variance was as follows:

**Ayes:** (4) **K. Winters, S. Callan, P. Darling, D. Darling**

**Nays:** (0) **None.**

**Absent:** (1) **R. Reik**

**Motion failed. Variance granted as stated.**

2. **2005-B-39, 731 S. Seventh St.:**

**Requesting a variance from section R403.1.4 of the 2003 Michigan Residential Code that states, "All exterior footings and foundations shall extend 42 inches below actual grade." Exception 2 states, "The footings in detached accessory structures not exceeding 400 square feet in area...shall extend 12 inches below grade to undisturbed soil."**

**Theresa Angelini (Architect)** was present to speak on behalf of this appeal.

Discussion

**T. Angelini** explained request.

**A. Savoni** stated the variance should be contingent on the drawings being submitted and approved by the Building Department.

**S. Callan** stated he would like to the copies that are submitted to the Building Department

After further discussion;

**P. Darling moved, supported by, S. Callan to grant a variance from section R403.1. to allow a 210 square feet addition to an existing garage with the following contingencies:**

- 1. The new section of the garage will have a foundation compliant with the code requirement on all four sides of the addition.**
- 2. Sheer walls are installed 4 feet side on one side of the structure to stabilize both the existing and the two independent walls.**
- 3. The detail between the existing and the new addition is designed independently of each other, to allow them to move independently of each other.**
- 4. The drawings will be submitted to the Building Department before constructed.**

The vote to grant the variance was as follows:

**Ayes: (4) K. Winters, S. Callan, P. Darling, D. Darling**

**Nays: (0) None.**

**Absent: (1) R. Reik**

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

**VI. UNFINISHED BUSINESS**

None.

**VII. NEW BUSINESS**

K. Winters stated the Board should be mindful of fire rated walls when granting variances.

S. Callan mentioned the fact that Briarwood has started to display automobiles inside the mall.

**VIII. REPORTS & COMMUNICATIONS**

March 8, 2005 meeting has been changed to **March 9, 2006**, which will be on **Thursday afternoon at 1:30 p.m.**

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. Chair K. Winters adjourned the meeting at 3:00 p.m.

Respectfully submitted,

*Lynn Bowen*

Lynn Bowen, Secretary

Building Board of Appeals

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Kenneth Winters, Chair

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Dated -11-9-05 BBA Minutes