



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

March 9, 2006

The regular meeting of the Building Board of Appeals was held on Wednesday, March 9, 2006 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 1:31 p.m. by Chair 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) R. Heemstra, A. Savoni, L. Bowen

III. Approval of minutes

P. Darling moved, supported by, R. Reik to approve the minutes of, December 14, 2005 with minor corrections. The minutes were approved unanimously. R. Reik moved, supported by D. Darling to approve the minutes of January 11, 2006 with minor corrections. The minutes were approved unanimously.

IV. APPEALS & ACTION - UNFINISHED

1. 2006-B-4a, 626 S. Division St. (Returning)

Requesting a variance from Section R305.1 of the 2003 Michigan Residential Code that 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.

Peter Beal was present to speak on behalf of this appeal.

Discussion

P. Beal explained request.

A. Savoni stated staff was supportive of this request with the recommendation of a building wide smoke detector system.

R, Heemstra recommended inter connected smoke detectors be installed.

After further discussion;

R. Reik moved, supported by, **P. Darling** to grant a variance to allow a ceiling height of 6 foot 8 inches between the existing laundry room and a ceiling height of 6 foot 8 inches to the existing toilet with the following contingencies:

1. **Hardwired interconnected smoke detectors be installed per Fire Marshal approval.**
2. **The balance of the area in the basement is designated unhabitable.**

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.

V. APPEALS & ACTION - NEW

1. **2006-B-7, 1205 S. Forest St.**

Requesting a variance from Section R305.1 of the 2003 Michigan Residential Code that requires a minimum 7 foot 0 (zero) inch ceiling height in a bathroom.

Betsy Williams was present to speak on behalf of this appeal.

Discussion

B. Williams explained request.

A. Savoni stated staff was not supportive of this request.

P. Darling asked the petitioner is it was possible to make the rough opening for the skylight taller.

B. Williams stated that part is dry wall but could soften the edge.

After further discussion;

P. Darling moved, supported by, **R. Reik** to grant a variance from Section R305.1 to allow a clear ceiling height of 6 feet 6 inches outside of the tub area, as being equivalent to a soffit at 6 foot 6 inches which is allowed.

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.

2. 2006-B-11, 615 W. Jefferson St.

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

Section R305, Exception 4 which states “*Bathrooms shall have a minimum ceiling height of 6 feet 8 inches over the fixture and the front clearance area for fixtures. A shower...shall have a minimum ceiling height of 6 feet 8 inches above a minimum area 30 inches by 30 inches at the shower-head.*”

Section R311.5.2 which states “*The minimum headroom in all parts of the stairway shall not be less than 6 feet 8 inches measured vertically from the sloped plane adjoining the tread nosing or from the floor surface of the landing or platform.*”

Attila Huth was present to speak on behalf of this appeal.

Discussion

A. Huth explained request, and also explained that part of the toilet headroom complies and other parts do not comply.

A. Savoni stated staff does not support this request.

K. Winters asked the petitioner which way was the ceiling sloping on the plans provided.

A. Huth stated from the left at a low point and to the right at the high point.

K. Winters asked if the high point was at the shower wall.

A. Huth stated yes.

K. Winters stated the request could be tabled or voted on with the information that has been presented; Mr. Winters also suggested the Board vote on the upstairs shower room, the landing headroom and table the two toilet room items for clarification.

P. Darling moved, supported by, D. Darling to table the request for the first and second floor toilet room space until additional information is turned in to the Board.

The vote to table 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 tabled as stated.

After further discussion;

P. Darling moved, supported by, D. Darling to allow a second floor shower to have minimum 6 foot 6 inch high minimum ceiling height at a 32 inch wide minimum shower width. This complies with the projections of 7 feet at a soffit.

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.

After further discussion

P. Darling moved, supported by, D. Darling to allow the replacement of the treads on the existing rough frame stair that has non compliant ceiling heights at the landing, this will be compliant to Appendix J of the residential code.

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.

3. 2006-B-8, 2922 Verle Ave.

Requesting a variance from Section R305.1 of the 2003 Michigan Residential Code that 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.

Tom Goff was present to speak on behalf of this appeal.

Discussion

T. Goff explained request.

A. Savoni stated staff is supportive of this request with the recommendation of a building wide smoke detector system.

T. Goff stated there is already a building wide smoke detector system installed.

After further discussion;

R. Reik moved, supported by, **D. Darling** to allow a ceiling height in the basement of 6 feet 9 inches and 6 feet 6 inches in the bathroom over the toilet and the shower with the following contingencies:

1. **Hardwired interconnected smoke detectors be installed per Fire Marshal approval.**

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.

4. **2006-B-9, 516 Fifth St.**

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

- ***R 311.5.1 Stairways shall not be less than 36 inches in clear width.***

R 311.5.3.2 The minimum tread depth shall be 9 inches.

Tom Weir was present to speak on behalf of this appeal.

Discussion

T. Weir explained request.

A. Savoni stated staff would be supportive of this request and suggested a fully automatic smoke detection system be installed throughout the building.

After further discussion;

D. Darling moved, supported by, P. Darling to allow a 31 inch wide staircase going into the basement and allow an 8 inch tread depth, on the stair to the basement and the stair to the second floor citing the Appendix J of the code with the following contingencies:

- 1. Hardwired interconnected smoke detectors be installed per Fire Marshal approval.**

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.

- 5. 2006-B-10, 935 Scio Church Rd.**

Requesting a variance from the Section R310.1 of the 2003 Michigan Residential Code that states: "...Every sleeping room shall have at least one openable emergency escape and rescue opening. Where emergency escape and rescue openings are required, they shall have a sill height of not more than 44 inches above the floor."

Erik Jensen was present to speak on behalf of this appeal.

Discussion

E. Jensen explained request.

A. Savoni stated the Board has allowed a bench to be built.

S. Callan stated a bench would be better than a 3x3 platform.

P. Darling moved, supported by, R. Reik to require a built in bench be installed below the full required width of the egress windows, and to be at least 18 inches in depth and not more than 18 inches in height with the following contingencies:

- 1. Hardwired interconnected smoke detectors be installed per Fire Marshal approval.**

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, K. Winters moved that the meeting be adjourned. The meeting was adjourned at 3:30 p.m. by Chair

Respectfully submitted,

Lynn Bowen

Lynn Bowen, Secretary
Building Board of Appeals

Kenneth Winters, Chair

Dated - 3-9-06 BBA Minutes