



City of Ann Arbor
Formal Minutes - Final
Housing Board of Appeals

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Tuesday, January 10, 2017

1:30 PM

Larcom City Hall, 301 E Huron St, Second Floor, City Council chambers

A CALL TO ORDER

B ROLL CALL

Present: 4 - Angela Rasmussen, Jerry Schulte, Robin Grosshuesch, and Timothy Durham

Absent: 2 - Lisa Stelter, and Kristen Schweighoefer

C APPROVAL OF AGENDA

Approved as presented

D APPROVAL OF MINUTES

D1 Housing Board of Appeals December 13, 2016

Approved by the Board and forwarded to the City Council

E PUBLIC COMMENTARY - (3 Minutes per Speaker)

None

F PUBLIC HEARINGS

F1 HBA16-015 Variance Hearing for 515 Catherine Street, Ann Arbor, MI

Mr. Chris Heaton, agent, speaks on behalf of 515 Catherine Street, Ann Arbor, MI for a variance from ceiling height and minimum light requirements in the 3rd floor rear room.

Ms. Angela Rasmussen moves that in the matter of the variance hearing for HBA16-015 for 515 Catherine Street, Ann Arbor, MI that the Board finds that we approve the following variances at 515 Catherine Street:

(1) Ceiling height in the 3rd floor rear room which is between 82 and 83", which does not comply with 8:503(3)(b); and

(2) Minimum light in the 3rd floor rear room which measures 7.02 square feet, which does not comply with section 8:502(1).

We find that these variances do not jeopardize public health and safety because the deviations are minimal and are not health or safety related, therefore the Board grants variance 1 and 2.

Approved by the Commission

F2 HBA16-010 Continuation Hearing for 730 Tappan Street, Ann Arbor, MI

Mr. Johathan Kucera, architect and Mr. Zach Stull, agent, speak on behalf of 730 Tappan, Ann Arbor, MI in regards to several variances for natural light and ventilation for 8 rooms and a second means of egress for room 201.

Mr. Timothy Durham motions that the Board has agreed to table the variance hearing for 30 days to allow for a site visit inspection for Board members to become educated in delivering a decision.

Postponed to the City Council

F3 HBA16-014 - Continuation Hearing for 903 Dewey Ave, Ann Arbor, MI

Mr. George Vas speaks on behalf of his property at 803 Dewey Street, Ann Arbor, MI for a continuation variance hearing for 2 newly constructed bedrooms in the cellar.

Mr. Jerry Shulte motions that in the continuation hearing for HBA16-014 for 903 Dewey that the Board grants the variance based on these findings:

All requirements for occupation as a habitable cellar space per 8:503(6) have now been met.

8:503 (6) Cellars. No part of a cellar shall be used as habitable space unless approved by the Housing Board of Appeals based on a city inspection report showing that the following standards have been met:

(a) The space has windows for natural light and ventilation which meets

the requirements of section 8:502.

(b) All required light and ventilation openings shall be located entirely above the grade of the adjoining ground, or shall have a window well.

(c) Sleeping areas have an emergency escape window or door which meets the requirements of section 8:504.

(d) In multiple dwelling, there is an approved second exit.

(e) Stairways to the grade floor or grade shall comply with this code.

(f) The space is weatherproof and draft tight.

(g) The space is dry and free of mold.

(h) Insulation is provided on the inside of exterior walls at least equals R-11. However, if the insulation cannot be measured a temperature of 60 degrees Fahrenheit shall be maintained at all locations 3 feet above the floor and 6 inches from the exterior wall.

(i) The space is provided with adequate heat. A return air system is required if the heat is provided by a forced air furnace.

(j) There shall be a continuous finished ceiling.

(k) It has electrical outlets meeting requirements for new units.

(l) There are operable smoke detectors where required.

(m) At least 80% of the required floor area of every habitable room shall have a ceiling height of at least 6 feet 8 inches. The remainder of the required floor area may be not less than 6 feet in height. Pipes, ducts, and beams closer than 3 feet to one another, outside to outside, shall be measured at 1 lowest dimension.

(n) Openings to habitable space shall be at least 6 feet 2 inches high and 22 inches wide. Height of the opening shall be measured at the midpoint.

(o) There is a 1 hour fire rated wall between the habitable space and gas or oil fired heating and water heating appliances of other units. Said appliances must have adequate makeup air as defined by the mechanical code. Ducts penetrating the fire suppression wall do not require fire dampers.

(p) The space meets all standards for habitable basement space specified in subsections (3) and (7).

(q) The building sanitary sewer is cleaned on a regular basis, at least once every 3 years. Proof of the most cleaning shall be maintained by the owner or manager.

(r) There is no evidence of present dampness or flooding within the past 5 years.

(s) A radon test, conducted by an independent accredited contractor, indicates acceptable levels of radon.

Section 8:515 (2) of the Ann Arbor Housing Code: The City of Ann Arbor Housing Code allows the Housing Board of Appeals to grant variances from the requirements of Chapter 105.

The variance does not jeopardize public health and safety.

Approved by the Commission

G UNFINISHED BUSINESS

H NEW BUSINESS

None

I COMMUNICATIONS

J ADJOURNMENT