



CITY OF ANN ARBOR, MICHIGAN

301 E. Huron St., P.O. Box 8647, Ann Arbor, Michigan 48107-8647
<http://www.a2gov.org>

Planning & Development Services (734) 794-6267
Housing Inspection (734) 794-626

VARIANCE APPLICATION REVIEW

Site: 508 Walnut St
Variance: HBA15-001

In 2013, permit BLDG13-1487 was obtained to add habitable space to the basement at 508 Walnut Street. Two bedrooms and a bathroom were added to the basement. The existing stairs were not modified, and do not comply with the exit stairway requirements of Chapter 105 Rental Housing or the Michigan Residential Building Code (MRC). Per the MRC, AJ201 the addition of bedrooms to previously non-habitable area constitutes a reconstruction project that lacks a compliant primary means of egress. Per the MRC, AJ601 & 501.2 the work must not increase non compliance or create non conformity; therefore code compliant stairs or a variance is required.

The stairs require a variance for the following items:

1. The stairs are 1 inch short of the 6 foot ceiling height requirement of Ch 105, 8:504(4)(b)(2).
2. The stair tread depth is 1 inch short of 9 inch depth requirement of Ch 105, 8:504(4)(b)(4).
3. There are no specifications for spiral stairs within Chapter 105, and therefore shall comply with Chapter 100 (MRC), per Chapter 105, 8:504(2). The R311.7.9.1 spiral stairs requirements include a 7.5 inch tread depth at 12 inches from the narrower edge, with identical sized treads.

The applicant also owns 524 Walnut St, and was granted a variance in 2008 (BBA08-004) for non-compliant stairs after the addition of bedrooms to the basement, with the contingency of installing a fully automatic, building-wide smoke detection system. Both houses have similar structural restrictions on the ability to modify the stairs to meet code.

Staff supports the granting of the variance for 508 Walnut St, contingent upon maintaining hard-wired interconnected smoke detectors throughout the dwelling.

Sincerely,

Brad Ruppel

Brad Ruppel
Development Services Inspector

APPLICATION FOR VARIANCE - BUILDING BOARD OF APPEALS

Section 1: Applicant Information

Name of Applicant: ZAKI ALAWI
Address of Applicant: 414 HUNTINGTON PLACE
Daytime Phone: (734) 260 7215
Fax: (734) 327 5929
Email: Zmichiganrent@gmail.com
Applicant's relationship to property: owner

Section 2: Property Information

Address of Property: 508 WALNUT
Zoning Classification: _____
Tax ID# (if known): _____
*Name of Property Owner: ZAKI ALAWI

**If different than applicant, a letter of authorization from the property owner must be provided.*

Section 3: Request Information

Variance

Chapter(s) and Section(s) from which a variance is requested:

chapter 105 Section 4b,1
chapter 105 Section 4b,4

Required dimension: PROPOSED dimension:

72" stairway ceiling height 71"
Tread Depth 8' 9"
EXISTING WINDER STEPS

Example: 2003 Building Code, Section 5:26

Example: 7' Ceiling Clearance

Example: 6' 5" under landing

Give a detailed description as to what kind of work you want to do that you would need this variance for (attach additional sheets if necessary)

Section 4: Variance Request

The City of Ann Arbor Housing Board of Appeals has the powers granted by State law and Building Codes. A variance may be granted by the Housing Board of Appeals only in cases involving practical difficulties or unnecessary hardships when **ALL** of the following is found **TRUE**. Please provide a complete response to each item below. These responses, together with the required materials in Section 5 of this application, will form the basis for evaluation of the request by staff and the Housing Board of Appeals.

1. Are there hardships or practical difficulties to complying with the Code? Are these hardships or practical difficulties an exception or unique to the home compared to other homes in the City?

THE EXISTING STAIRS SERVING 2 BEDROOMS & 1 BATH IN THE BASEMENT MEET BUILDING CODE REQUIREMENT FOR FINISHING THE BASEMENT FOR IT IS EXISTING STAIRS. RALPH WALTON BUILDING OFFICIAL SIGNED OFF ON THE STAIRS AS PART OF THE PERMIT. HOUSING DISAGREE. TO SATISFY HOUSING REQUIREMENT ON STAIRS TO THE BASEMENT STAIRS ABOVE IT NEED TO BE REBUILT TOO, TOGETHER WITH HALLWAY FROM FRONT DOOR TO REAR KITCHEN HAS TO BE REBUILT.

2. Are the hardships or practical difficulties more than mere inconvenience, inability to obtain a higher financial return, or both?

3. What effect will granting the variance have on the neighboring properties?

TWO OTHER HOUSES ON SAME 3 BLOCKS HAD BASEMENT FINISHED SAME WAY WITHIN THE LAST 3 YEARS, WITH STAIRS NOT MEETING HOUSING CODE BUT OK WITHIN BUILDING CODE REQUIREMENTS AS IN THIS CASE AND NO FURTHER ACTION BY OWNER WAS REQUIRED.

4. What physical characteristics of your property in terms of size, shape, location or topography prevent you from using it in a way that is consistent with the Code?

5. Is the condition which prevents you from complying with the ordinance self-imposed? How did the condition come about?

No

Section 5: Required Materials

The following materials are required for all variance requests. Failure to provide these materials will result in an incomplete application and will delay staff review and Housing Board of Appeals consideration of the request. The materials listed below must accompany the application and constitute an inseparable part of the application. All materials must be provided on **8 1/2" by 11" sheets.**

- State proposed use of property, size of lot and size and type of proposed changes.
- Building floor plans showing interior rooms, including dimensions.
- Photographs of the property and any existing buildings involved in the request.
- Any other graphic or written materials that support the request.

Section 6: Acknowledgement

SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC

I, the applicant, request a variance from the above named Chapter(s) and Section(s) of the Code for the stated reasons, in accordance with the materials attached hereto.

(734) 260 7215 Z. Alawi
Phone Number Signature
Zmichiganrental@gmail.com ZARI ALAWI
Email Address Print Name

I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith, are true and correct.

Z. Alawi
Signature

Further, I hereby give City of Ann Arbor Planning & Development Services unit staff and members of the Housing Board of Appeals permission to access the subject property for the purpose of reviewing my variance request.

Z. Alawi
Signature

On this 20th day of March, 2015, before me personally appeared the above named applicant and made oath that he/she has read the foregoing application by him/her subscribed and knows the contents thereof, and that the same is true as to his/her own knowledge except as to those matters therein stated to be upon his information and belief as to those matters, he/she believes them to be true.

ROSE-MARIE E. GALE
Notary Public, State of Michigan
County of Lenawee
My Commission Expires Oct. 19, 2017
Notary Commission Expires on 10/19/2017

Rose-Marie E. Gale
Notary Public Signature
ROSE-MARIE E. GALE
Print Name

Staff Use Only
Date Submitted: 3/20/15 Fee Paid: \$ 500 paid
File No.: HBA 15-001
Pre-Filing Review Person & Date: (BA) 3/20/15 2754
Secondary Staff Review Person & Date: _____
Date of Public Hearing: _____
BBA Action: _____