



CITY OF ANN ARBOR, MICHIGAN
Community Services Area

Planning & Development Services Unit
301 E Huron St, Ann Arbor, MI 48107-8647
www.a2gov.org

Housing Board of Appeals Staff Report

Subject: BBA 14-0019
1614 South Blvd

Description and Discussion:

The owner of the residence located at 1614 South Blvd request a variance from the requirement for natural light and ventilation in the finished room in the cellar for use as a sleeping room. Natural light requires glazing area equal to 8% of the room's floor area and natural ventilation equal to 4% of that same area as required by section 8:502 (1) and (2).

The homeowner had the egress window installed in 2012 to create a bedroom after the initial housing inspection had cited the cellar as not habitable. Installation of an egress window is only one of the many requirements for a cellar bedroom.

I completed a cellar requirements worksheet, which is required by code for cellar occupancy. The proposed bedroom lacked adequate light and ventilation.

There are 2 windows in the intended bedroom. The new egress window glazing area measures 39" high by 21-1/2" wide or 5.8 square feet. The second window, (existing) has a glazing area that measures 27" by 13-1/2" or 2.5 square feet. Total glazing area is 8.3 square feet.

The room measures 11' by 16' or 176 square feet. The code requires natural light to equal 8% of the total floor area in this case 14 square feet. This falls short by 5.7 square feet. The code also requires natural ventilation equal to 4% of the total floor area, in this case, 7 square feet. The ventilation area of the egress window measures 21-1/2" by 17-1/2" or 2.6 square feet. The second windows ventilation area measures 30" by 16-1/2" or 3.4 square feet, (this window at the time of the inspection did not have a screen or the hardware to open the window but per the owner has since been repaired to open and has a screen) Total ventilation area measures 6 square feet. This falls short by 1 square foot.

The house was built in 1968. There are 3 bedrooms on the first floor and one bath. At some time the cellar has been finished with 2 rooms and a bath. With no egress windows, the cellar has never been habitable.

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 on existing structural elements of a building.

BBA 14-005



City of Ann Arbor
PLANNING & DEVELOPMENT SERVICES — CONSTRUCTION SERVICES
 Mailing: 301 E. Huron St. P.O. Box 8647, Ann Arbor, Michigan 48107-8647
 p. 734.794.6263 | 734.994.8460 | building@a2gov.org

APPLICATION FOR VARIANCE - BUILDING BOARD OF APPEALS

7-11-14

Section 1: Applicant Information		
Name of Applicant: <u>Trantor Inc. Represented by Silvana Graf</u>		
Address of Applicant: <u>3680 Highlander Way E. Ann Arbor, MI 48108</u>		
Daytime Phone: <u>(734) 276-6502</u>	Fax: <u>(734) 761-9221</u>	
Email: <u>silvanagraf@comcast.net</u>		
Applicant's Relationship to Property: <u>Vice-President of Trantor Inc. & Property Manager</u>		
Section 2: Property Information		
Address of Property: <u>1614 South Blvd</u>		
Zoning Classification: _____		
Tax ID# (if known): <u>Parcel ID 09-09-33-407-034</u>		
*Name of Property Owner: <u>Trantor Inc.</u>		
<i>*If different than applicant, a letter of authorization from the property owner must be provided.</i>		
Section 3: Request Information		
<input checked="" type="checkbox"/> Variance		
Chapter(s) and Section(s) from which a variance is requested:	REQUIRED dimension:	PROPOSED dimension:
Light and Ventilation Code is 8:502 and 8:503		
	Light 8% of area	short 5.7 sqft
	Ventilation 4% of area	short 1.0 sqft
Example: 2003 Building Code, Section 5:26	Example: 7' Ceiling Clearance	Example: 6'5" under landing
Give a detailed description of the work you would need this variance for (attach additional sheets if necessary)		
I need to leave the house the way it is now		

Section 4: Variance Request

The City of Ann Arbor Building Board of Appeals has the powers granted by State law and Building Codes. A variance may be granted by the Building 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 Building 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 additional window (2x3 sqft) that would need to be opened in the cellar at 1614 South to comply with the code involves cutting a piece of the cement driveway to create a window well, opening a hole in a brick wall and part of the basement wall. The weight of that side of the house rests on that side (supporting beams run perpendicular).

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

The weight of that side of the house rests on that side (supporting beams run perpendicular). There is already an egress window (new \$3,300) and a small additional window. Opening another window may open possibilities of water problems and structural problems that are non-existent now. The cost of this is approximately \$1000.

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

It will make the house desirable to nice quiet families and add value to the neighborhood. In the past this house had 2 illegal bedrooms in the basement crowded with as many as 12 people with no egress.

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?

This house is a ranch. There is no room to add a fourth bedroom on the first level.

We already invested \$3,300 to open a safe Egress Window for the purpose of creating an official bedroom in the basement.

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

We intended to create a legal bedroom in the basement and hired a professional "Emergency Egress"

He acted like he knew the code and proceeded to execute the project. I clearly told the owner of the company that the purpose of the investment was a "legal" bedroom. He claimed to have ample experience with the city.

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 Building 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. ***If incomplete, you will be scheduled for the NEXT MEETING DATE ON THE FOLLOWING MONTH.***

- ☐ State proposed use of property, size of lot and size and type of proposed changes.
- ☐ Building floor plans showing interior rooms, including dimensions. (continued...)
- ☐ Photographs of the property and any existing buildings involved in the request.
- ☐ Any other graphic or written materials that support the request.
- ☐ Letter of Authority if being represented by someone other than the property owner.

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 Applicable City Code and/or 2006 Michigan Residential Code and/or 2006 Michigan Building Code for the stated reasons, in accordance with the materials attached hereto.

(734) 276-6502

Phone Number

silvanagraf@comcast.net

Email Address

Silvana Graf Trantor Inc.

Signature

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 and have received all coversheets with dates, deadlines and instructions. Applicant acknowledges that they are aware of these meeting dates and will not receive further notification of meeting dates and times. All applicants are expected to know when and where the meeting is and to appear to present their appeal in a timely fashion.

Further, I hereby give City of Ann Arbor Planning and Development Services unit staff and members of the Building Board of Appeals permission to access the subject property for the purpose of reviewing my variance request. As a condition of granting any variance, the property owner is also responsible for reinstating, paying fees for or acquiring new permits to inspect and final out any outstanding work at this property:

On this 11th day of July, 2014 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 information and belief as to those matters, he/she believes them to be true.

DIANNE J. CURRY

Notary Public - Michigan
Washtenaw County

My Commission Expires Feb 25, 2020
Acting in the County of Washtenaw

Notary Commission Expiration Date

Notary Public Signature

Print Name

STAFF USE ONLY

Date Submitted: 7-11-14 Fee Paid: \$250.00

File No: BBA14-005

Pre-Filing Review Person & Date: A. Howard 7-11-14

Secondary Staff Review Person & Date: _____

Date of Public Hearing: _____

BBA Action: _____

OUTSTANDING PERMITS: _____



CITY OF ANN ARBOR

100 N. FIFTH AVE • ANN ARBOR, MI 48104
(734) 794-6267

Receipt Number: 2015-00002600

Project Number	BBA14-005
Receipt Print Date	07/11/2014
Address	1614 SOUTH BLVD
Applicant	TRANTOR, INC
Owner	TRANTOR, INC
Project Description	

FEES PAID

0026-033-3370-0000-4361

P&D - APPEAL FEES 13/14

BBA 1 & 2 FAMILY

0026-033-3370-0000-4361

250.00

Total Fees for Account 0026-033-3370-0000-4361:

250.00

TOTAL FEES PAID

250.00

DATE PAID Friday, July 11, 2014

PAID BY LOGOS

PAYMENT METHOD CREDIT CARD TYPE NOT

To: Building Board of Appeals of the City of Ann Arbor

2nd of July, 2014

Dear Sirs

I hereby authorize Silvana Graf to represent Trantor Inc and myself, Paul Flavio Graf, the President and owner of Trantor Inc which in turn owns 1614 South Blvd. to act on my behalf during the process of Application for Variance in front of the Building Board of Appeals of the City of Ann Arbor and any other necessary procedures related to my properties belonging to Trantor Inc.

Thank you very much, best regards.

A handwritten signature in dark ink, appearing to be 'P. Graf', written over a horizontal line.

Paul Flavio Graf



CITY OF ANN ARBOR, MICHIGAN

Community Services Area
Planning & Development Services Unit
100 North Fifth Avenue, P.O. Box 8647,
Ann Arbor, Michigan 48107-8647
Phone: (734) 994-2674
Fax: (734) 994-2798
www.a2gov.org

CELLAR REQUIREMENTS WORKSHEET 8:503 (6)

DATE ADDRESS Inspector

IS THERE:

A) 8% light and 4% ventilation for each habitable room? YES NO

Where?

B) Required light and ventilation openings are above grade or have window wells? YES NO

C) An escape window? YES NO

N/A D) Second Means of Egress (Multiple Family ONLY)? YES NO

E) Stairway(s) to grade/grade floor to code (8:504 a, b)? YES NO

F) Weatherproof and draft tight space? YES NO

G) Dry and mold/mildew free? YES NO

H) R-11 insulation in exterior walls? YES NO UNKNOWN

If unknown, is 60 degrees maintained per code? YES NO

I) adequate heat (return air, if forced hot air)? YES NO

J) A Continuous, finished ceiling? YES NO

K) Electrical outlets to building code? YES NO

L) Smoke detectors per code? YES NO

M) Ceilings: 6'8" for 80% of the habitable space: balance not less than 6'0"? YES NO

N) Door/opening to habitable space a minimum 6'2" in height and 22" in width? YES NO

→ O) One-hour separation of unit from gas/oil fired heating/water heating appliances serving other units? Boiler/AE

YES NO

P) Floor and exterior walls waterproofed as necessary? YES NO

N/AQ) Inside stairs have rated enclosure at grade (multiple family only)? YES NO

NEED COPY R) Regularly cleaned sanitary sewer? YES - Date of last cleaning 12/19/12 NO Rev'd LTA 6/15/14

S) Proof of past flooding (within 5 years) or present dampness? YES NO

NEED COPY T) Radon testing? YES - Date of last test ; result NO Rev'd 1/16/13 EIT 6/15/14

Grade Measurement - Floor to average outside ground level

Existing 5' 8" Required 3' 4"

Location of main electrical panel? CELLAR

Easy access to panel for all occupants of all units? YES NO

LIGHT AND VENTILATION MEASUREMENTS FOR BASEMENT

SQ FT 11' X 16' = 176 SQ FT ~~✓~~

X 8% = 14 (light) x 4% = 7 (ventilation)

-8.3

-2.6

Short 5.7

short 4.4

VENT 21 ½" X 17 ½" = 2.6 SQ FT ~~✓~~

LIGHT 39" X 21 ½" = 5.8 SQ FT ~~✓~~

5.8 + 2.5 = 8.3

LIGHT 22" X 13" = 2.5 SQ FT ~~✓~~

Small window

VENT 30" X 16 1/2" = 3.4 SQ FT

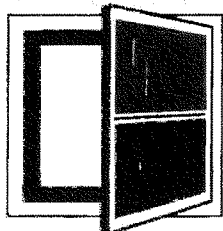
small window needs screens & hardware to count

Proposal

Emergency Egress LLC

450 E. Square Lake Road • Troy, Michigan 48065

Phone: (248) 879-0671



**CLASS
BLOCK
WINDOWS**

Proposal Submitted To:

Name: MS South
Street: 1614 South
City: AA
State: M
Phone: 234-276-6502

We propose to:

Install egress window(s) ☒ 28" x 46" ☐ 31" x 41" Other _____

☐ Security Screen ☐ Trim interior with wood

☐ Install Bowman Kemp white metal window well. ☐ Natural Stone well

☐ Install Wellcraft polyethylene window well. ☐ Other _____

Install drain to be tied to drain tile

Trim exterior of window with flashing

Pea/pebble rock at base of well

Eighteen (18) month warranty on labor

Lifetime warranty on window

Repair any irrigation due to excavation

Other _____

WE PROPOSE to furnish labor and material — complete in accordance with above specifications, and subject to conditions found on this agreement, for the sum of:

_____ dollars (\$ 3300.00)

Payment to be made as follows: includes permit

ACCEPTED. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Respectfully submitted,

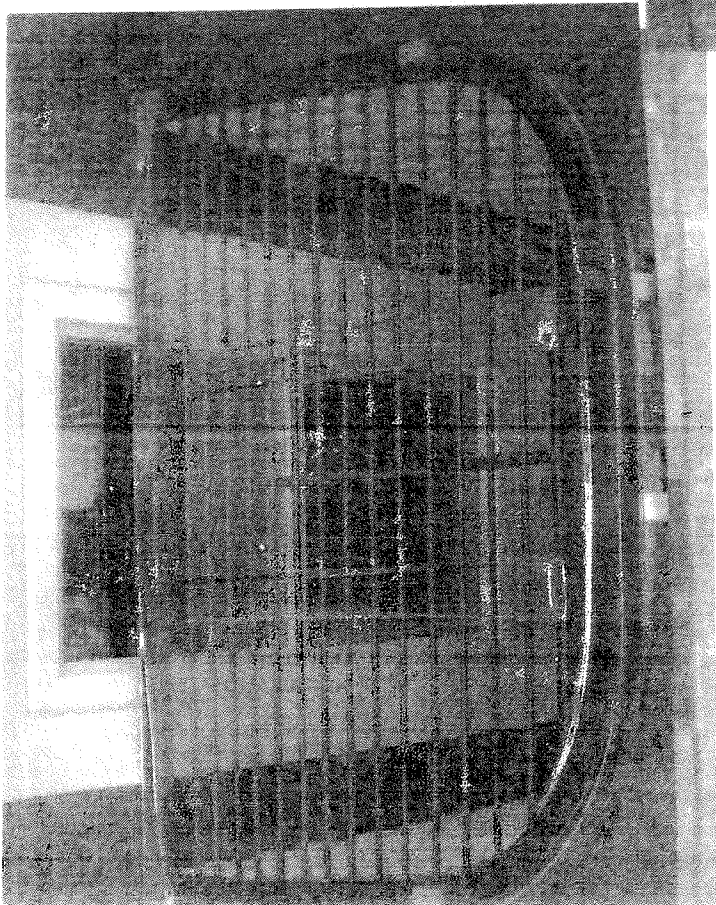
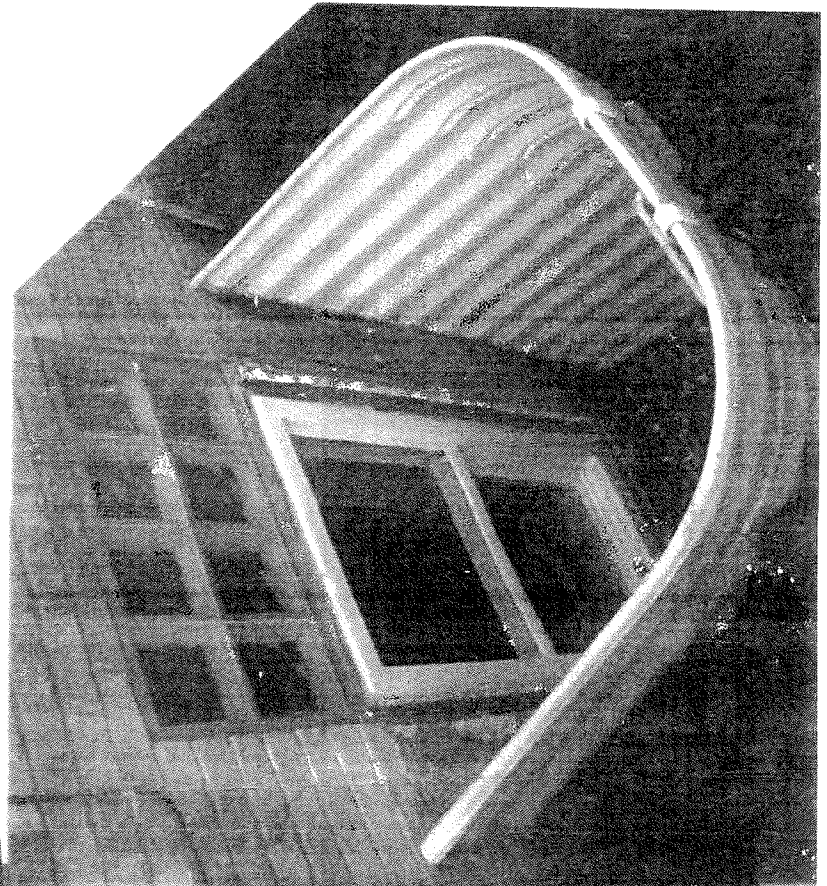
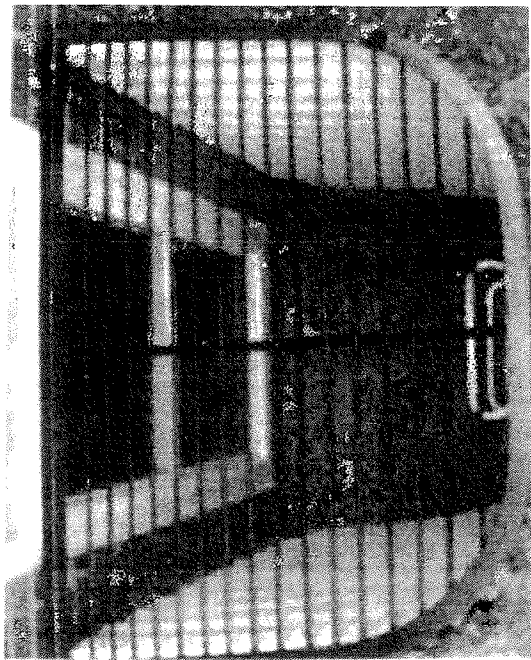
EMERGENCY EGRESS LLC

Date of Acceptance _____

By [Signature]

By [Signature]

By _____ Note: This proposal by be withdrawn by us if not accepted within _____ days.





CITY OF ANN ARBOR
Planning & Development Services
Mailing Address: 301 E. Huron Street, PO Box 8647
Ann Arbor, MI 48107-8647
Phone - (734) 794-8264 Fax - (734) 994-8460
rentalhousing@a2gov.org

For Inspections Results
go to:
www.a2gov.org/permits
Select "Permits"

HOUSING INSPECTION CODE VIOLATION NOTICE

Address 1614 South Blvd Apt # _____ Initial Inspection Date 4/27/12

Reinspection Date/Time _____

YOU HAVE THE RIGHT TO APPEAL VIOLATIONS OR DEADLINES TO THE BOARD OF APPEALS

The following code violations have been cited during this inspection.

	CELLAR Partially Finished
	FIREPLACE Room-
	REMOVE MATTRESS & BOXSPRINGS. NOT TO
	BE USED AS A SLEEPING Room - 8503
	SECURE LOOSE OUTLET ACROSS FROM FIREPLACE -
	8505
	HAVE THE FIREPLACE AND CHIMNEY INSPECTED
	BY A QUALIFIED CONTRACTOR FOR SAFE OPERATION
	OR SEAL OFF OPENING TO FIRE BOXES 8501
	SOUTH EAST WALL -
	ALL OUTLETS HAVE AN OPEN GROUND 8505
	BATH-
	REPLACE MISSING SWITCH & OUTLET COVERS - 8505
	REPAIR/REPLACE EXHAUST FAN - 8507
	REPLACE MISSING BRACKET & HANDRAIL - 8509
1st Floor	KITCHEN SECURE DISPOSAL OUTLET IN CLOSET & 1
	Box - 8501
	REPLACE MISSING HANDLE & WINDOW - 8501
	Box Room #1 -
	REPLACE MISSING SWITCH & OUTLET COVERS - 8505
	REPLACE OVERHAULING OUTLETS - 8505
	REPLACE MISSING HANDLE & WINDOW - 8509

Omission of reference to any item during this inspection shall not nullify any requirement of the housing code nor exempt the owner/agent from meeting such requirements.

Your signature confirms that you have read and understand all violations and notes cited on this document. If you cannot read the handwriting or do not understand why a violation was cited, please discuss this with the inspector before signing this form.

Inspector Signature/Date _____ Authorized Agent Signature/Date _____



CITY OF ANN ARBOR
Planning & Development Services
Mailing Address: 301 E. Huron Street, PO Box 8647
Ann Arbor, MI 48107-8647
Phone - (734) 794-6264 Fax - (734) 994-8460
rentalhousing@a2gov.org

Before Purchase by Trantor

For Inspections Results go to:
www.a2gov.org/permits
Select "Permits"

HOUSING INSPECTION CODE VIOLATION NOTICE

Address 614 SOUTH BLVD Apt # _____ Initial Inspection Date 4/27/12
Reinspection Date/Time _____

YOU HAVE THE RIGHT TO APPEAL VIOLATIONS OR DEADLINES TO THE BOARD OF APPEALS

The following code violations have been cited during this inspection.

	BED ROOM #2 -
	REPAIR CASEMENT WINDOWS TO OPERATE PROPERLY + INSTALL MISSING HANDLES 8509
	BED ROOM #3
	REPAIR CASEMENT WINDOW TO OPERATE PROPERLY - REPAIR BROKEN WINDOW FRAME 8509
	REPAIR BATTERY IN SMOKE ALARM - 8527
	BATH
	INSTALL HANDLES ON SINK SHUT-OFFS - 8509
	SECURE TOILET REPAIR RUN - W - 8507
	REGRAZE TUB, PEELING OFF - 8509
	CAULK BACKSPLASH TO COUNTER TOP - 8509
	EXTERIOR -
	SERVICE ENTRANCE CABLE IS IN DISREPAIR HAVE A LICENSED ELECTRICIAN REPLACE THE S.E. CABLE - PERMIT REQUIRED - 8505
	SCRAPE + PAINT WINDOWS INSIDE + OUT - 8509
	REGRAZE WINDOWS - 8507
	INSTALL VACUUM BREAKERS ON ALL FRESH BIRS - 8507
	INSTALL GFCI IN EXTERIOR OUTLETS - 8505
	INSTALL SUMP DISCHARGE - 8509

Omission of reference to any item during this inspection shall not nullify any requirement of the housing code nor exempt the owner/agent from meeting such requirements.

Your signature confirms that you have read and understand all violations and notes cited on this document. If you cannot read the handwriting or do not understand why a violation was cited, please discuss this with the inspector before signing this form.

Inspector Signature/Date _____

Authorized Agent Signature/Date _____

Bernie Judge



D & D Radon Tech

1552 Barrington Place • Ann Arbor, MI 48103 • 734.255.0427

Radon Test Results Report

Client: TRANTOR INC
Client Address:
City:
Phone:

State: MI Zip:
Fax:

Test Address: 1614 SOUTH BLVD
City: ANN ARBOR State: MI Zip: 48103
Test Device Location: FINISHED LOWER LEVEL BEDROOM WITH EGRESS WINDOW
Weather Conditions: COLD 20-35F
Start time: 1:50PM 1.16.13
Stop time: 1:00PM 1.18.13

Average radon level during the test:

0.5 pCi/l

Unit Serial # CRM510 2322

PURPOSE OF THIS INSPECTION REPORT

To provide a professional opinion of a structure's radon levels at the time of the test period, limited to the conditions identified in this report.

EPA EXPLANATION OF TEST RESULTS

Radon is the second leading cause of lung cancer, after smoking. The U.S. Environmental Protection Agency (EPA) and the Surgeon General strongly recommend taking further action when the home's radon test results are 4.0 pCi/l (picocuries per liter of air) or greater. Radon levels less than 4.0 pCi/l still pose some risk and in many cases may be reduced. The national average indoor radon level is about 1.3 pCi/l while outdoor radon levels average 0.4 pCi/l. The higher a home's radon level, the greater the health risk to you and your family. Smokers and former smokers are at especially high risk. EPA recommends that you use an EPA or State-approved contractor trained to fix radon problems. You can call your state radon office to obtain information, including a list of EPA or State-approved radon contractors who can fix or can help you develop a plan for fixing the radon problem. Many questions you may have can be found in EPA's publication "Home Buyer's and Seller's Guide to Radon".

LIMITATIONS OF LIABILITY

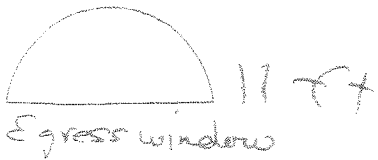
D & D Radon Tech cannot guarantee the necessary conditions were maintained during the test period. There can be uncertainty with any radon measurement due to statistical variations and other factors such as changes in the weather and operation of the dwelling. While our agents and we make every effort to maintain the highest possible quality control and include checks and verification steps in our procedures, we make NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, for the consequences of erroneous test results. D & D Radon Tech nor its employees or agents shall not be liable under any claim, charge or demand, whether in contract, tort, or otherwise, for any and all loss, cost, charge, claim, demand, fee, or expense of any nature or kind arising out of, connected with, resulting from, or sustained as a result of any radon test.

RADON TEST DATA

This test was performed with a *femto*-TECH CRM-510, an EPA and Industry approved testing device. The test was performed in accordance with the current Standards and Guidelines accepted for radon testing.

Test Technician: Daniel Heilmann
D & D Radon Tech
1552 Barrington PL
Ann Arbor, MI 48103
Mobile: 734.255.0427
Email accurateradon@aol.com

License/Certification number:
NEHA NRPP ID 100219RT



Egress window

28" x 46"

39" x 21 1/2" (just glass)

16 ft

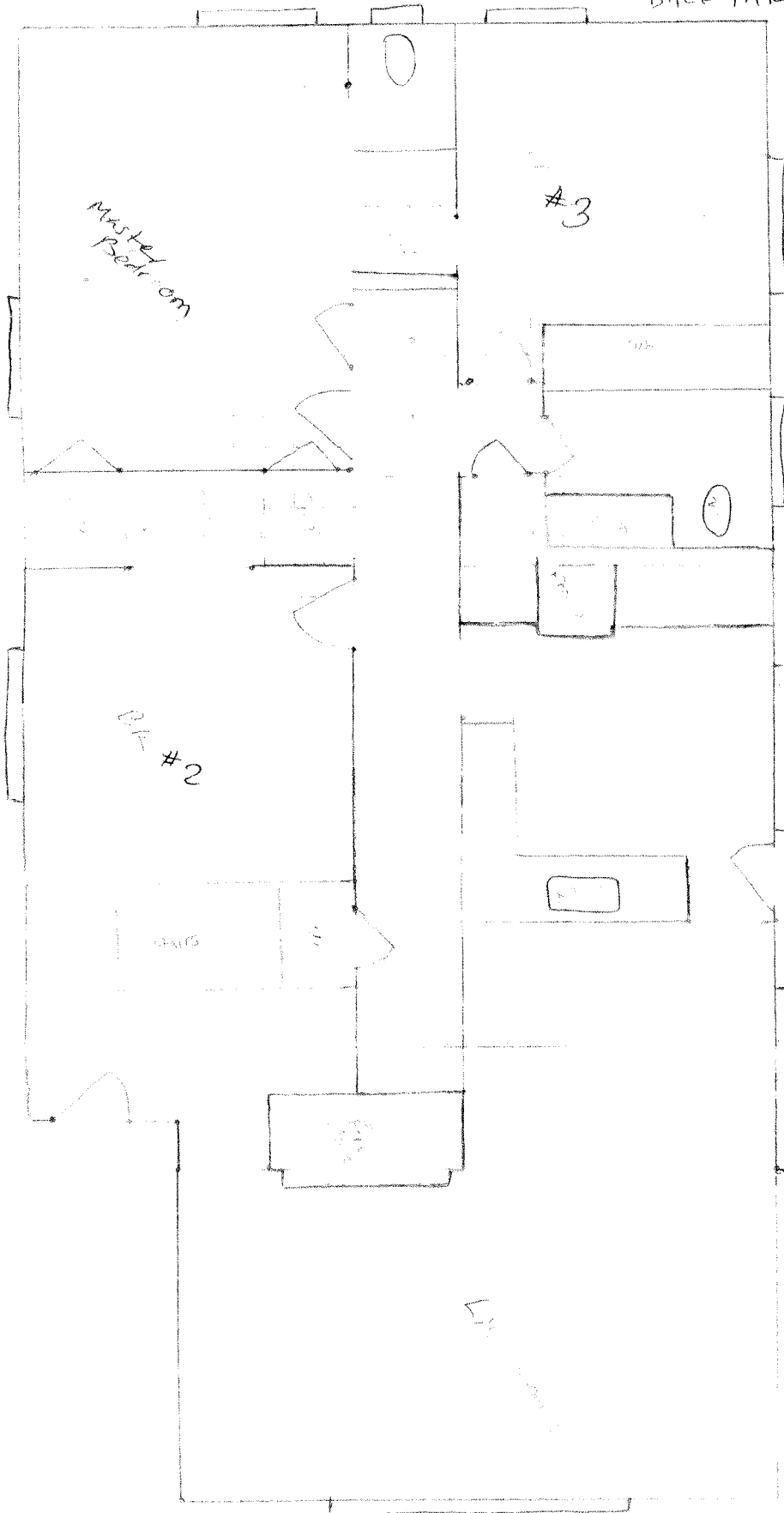
basement
window
32" x 18" (27" x 14" just glass)

closet

door

8'0" light = 14
4'0" vent = 7
ceiling height 8'1"

BACKYARD



FRONT

1st Floor

BACKYARD

Egress

Open
Play Area

Intended
BR

Shower

0

AP
PAC

Family Room

FRONT

Basement

