

ANN ARBOR HOUSING BOARD OF APPEALS

STAFF REPORT

Meeting Date: October 12, 2021

Type of Request: VARIANCE

Housing Board of Appeals Request HBA21-003 at 1616 Traver, ANN ARBOR, MI 48105.

(Parcel Identification Number: **09-09-21-208-025**)

DESCRIPTION AND DISCUSSION

Property Owners Name and Address:

Susan Wright
631 Bayview Dr.
Aptos, CA, 95003

BACKGROUND

The house located at 1616 Traver was built in the 1950's and appears to be original construction. The property was reported as an unregistered rental 4/15/2020. The initial rental inspection occurred 8/17/2020 and violations were identified including a violation of section 8:509 (7) Fire chases. Upon inspection the drywall separating the garage from the dwelling measured 1/4" and the seams are not sealed. Property owner states all other repairs have been made, no permits have been pulled for any repair (electrical) and a follow up inspection has not been performed

The owner of the residence located at 1616 Traver, Ann Arbor, MI requests one variance: Garage is adjoined to house. Drywall is 1/4". Obtain a building permit to separate garage wall from house. Drywall must be 1/2" and seams sealed.

(1) Fire chases:

8:509. - General requirements relating to the maintenance of dwellings, parts of dwellings, and facilities. No person shall occupy as owner-occupant, or let to

another for occupancy, any dwelling unit which does not comply with the following requirements:

(7) *Fire chases.* Every dwelling or dwelling unit that has openings in the wall, floor, or ceiling, creating a fire chase into concealed spaces shall be sealed with materials to achieve a fire rating equal to the surface penetrated.

Standards for Approval:

1. *Practical difficulties or unnecessary hardship;*
2. *The variance does not violate the intent of this chapter; and*
3. *The variance does not jeopardize public health and safety.*

STAFF RECOMMENDATION

Staff recommend that the variance not be granted. A continuous barrier of the minimum 1/2" thickness between garages and living space is a life safety issue, and slows the spread of a fire to protect the occupant. Per the commentary in the 2015 International Residential Code (IRC) "Numerous potential hazards exist within garages because occupants of dwelling units tend to store a variety of hazardous materials there along with this and the potential for CO build-up within the garage the code requires that the garage be separated from the dwelling unit and attic..."

PROPOSED MOTION

APPEAL GRANTED

That in Case HBA21-003, **the appeal of the Building Official's decision** that the rental unit at **1616 Traver does get** relief from section 8:509 (7), and the Housing Board of Appeals **REVERSES** the Building Official's decision for the reason(s) that *[state reason in motion]*:

- ☐ (1) Practical difficulties or undue hardship
- ☐ (2) The variance does not violate the intent of section 8:504 of the Ann Arbor Housing Code
- ☐ (3) The variance does not jeopardize public health and safety.

Stipulations – If Applicable:

[Chairman to check box(es) following vote]

OR

APPEAL DENIED

That in Case HBA21-003 **the appeal of the Building Official's decision** that the rental unit at **1616 Traver** is **DENIED** and the Housing Board of Appeals **AFFIRMS** the Building Official's decision for the reason(s) that *[state reason in motion]*:

- ☐ (1) Practical difficulties or undue hardship do not exist.
- ☐ (2) The variance would violate the intent of section 8:504 of the Ann Arbor Housing Code;
- ☐ (3) The variance would jeopardize public health and safety.

Stipulations – if Applicable:

[Chairman to check applicable box(es) following vote]

Yeas:

Nays:

Absent for this vote:

Date
