



**APPROVED MINUTES OF THE REGULAR SESSION OF THE
BUILDING BOARD OF APPEALS OF THE CITY OF ANN ARBOR
APRIL 9, 2008 - 1:30 P.M. – SECOND FLOOR – COUNCIL CHAMBERS
100 N. FIFTH AVENUE, ANN ARBOR, MI 48104**

MEETING CALLED TO ORDER at 1:33 p.m. by Chair Kenneth Winters

ROLL CALL

Members Present: (5) K. Winters, R. Hart, A. Milshteyn,
P. Darling and S. Callan

Members Absent: (1) R. Reik

Staff Present: (3) A. Savoni, K. Chamberlain and
B. Acquaviva

A - APPROVAL OF AGENDA

A-1 Approved Without Opposition.

B - APPROVAL OF MINUTES

B-1 Draft Minutes of the March 12, 2008 Regular Session – **Approved as Presented.**

Moved by S. Callan, Seconded by P. Darling, **“to approve the minutes of the March 12, 2008 Regular Session.”**

On a Voice Vote – MOTION PASSED - UNANIMOUS

C - APPEALS & ACTION

C-1 2008-B-008 – 1595 Meadowside Drive

Craig Nader, contractor for this property, is requesting a variance from Section R310.1 of the 2003 Michigan Residential Code.

Description and Petitioner Presentation

The applicant is requesting a variance from Section R310.1 that states: *“Basements with habitable space 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.”*

Petitioner is finishing a portion of the basement creating habitable space. The finished space consists of a bedroom, bathroom, recreation room and office. In the bedroom, the sill height of the existing egress window is 52 inches above the finished floor. The required minimum height is 44 inches. The Petitioner proposes to install an 8 inch high step/platform at the window that will be 3 feet wide by 3 feet deep. Petitioner states that the step will be permanently installed.

51 Mr. Craig Nader of Nader Carpentry was present to speak on behalf of the appeal. There are
52 two windows labeled on the drawing as 'egress' – they were 52 or 53 inches off the floor. We
53 secured the building permit, then did some framing and the inspectors came and informed us
54 that we could build a 3 x 3 platform to conform to code (or a bench). The bench didn't work, so
55 we built the platform in the other room and labeled that one the bedroom as opposed to the
56 office. The building official said I couldn't have the platform, and I told him that we were finished
57 with the work and that the inspectors said we could do this work.

58

59 **Recommendation:**

60

61 A. Savoni - Staff would not be supportive of this request. The code specifically states that the
62 bottom of the opening must be a maximum of 44 inches from the finished floor and does not
63 allow for any provisions or exceptions for a step located at the window. We would suggest that
64 if the Board is supportive of granting any variance, a fully automatic, building wide smoke
65 detection system and a permanently installed sign stated the step is part of the emergency
66 egress system and cannot be removed, be a condition of the variance.

67

68 K. Chamberlain – The Fire Department concurs with the Building Department.

69

70 **Comments and Questions from the Board**

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72 R. Hart – Could we clarify the dimensions? One page has 54" and another has 50" and is the
73 step 8" or 10"? (C. Nader – From my recollection, the step is 8", so it would be 52".)

74

75 K. Winters – How far out does the bay on the window go. (C. Nader – About 12 inches.)

76 A. Savoni – the code only speaks to an unobstructed opening, but if it's only sticking out 12
77 inches, and the inspector didn't cite it, it's probably not a problem.

78

79 P. Darling – When was the house built? (C. Nader – It's a fairly new house. I think around 12
80 years ago?)

81

82 A. Milshteyn – The subdivision was built in 2000-2001.

83

84 P. Darling – Is there a label permanently affixed to the platform stating it's for egress usage.
85 (C. Nader – Are stickers acceptable?)

86

87 R. Hart – Something more permanent or substantial – something screwed in or painted on.

88

89 **Discussion:**

90

91 *Discussion on wording of the egress access step.*

92

93 **MOTION**

94

95 Moved by R. Hart, Seconded by P. Darling, **"in the matter of Appeal Number 2008-B-008,**
96 **1595 Meadowside Drive, to permit a variance from the 2003 Michigan Residential Code,**
97 **Section R310.1, to permit a 3 ft. x 3 ft. by 8 inch high egress platform, to achieve the**
98 **minimum egress height dimension to the window, provided the platform be permanently**
99 **installed and exhibits a permanently installed sign indicating that the platform is a part of**
100 **the emergency egress system and is not to be removed. A fully automatic, building wide**
101 **smoke detection system shall be installed to the satisfaction of the Fire Marshall as a**
102 **condition of the variance. We find this to be equivalent to the intent of the code."**

103

104 **On a Voice Vote – MOTION TO APPROVE - PASSED - UNANIMOUS (Variance granted)**

108 **Mark Reyst, contractor for this property is requesting a variance from Sections R305.1,**
109 **R311.4.2.1 and R310.1 of the 2003 Michigan Residential Code.**

110
111 **Description and Petitioner Presentation**
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113 Petitioner is finishing a portion of the basement creating habitable space. The finished space
114 consists of a bedroom and office. A door is being installed under the existing steel beam. The
115 door opening will be 6 foot 3-1/2 inches to 6 foot 4 inches. Code requires a minimum 6 foot 6
116 inch door opening.

117
118 Secondly, there are problems with the ceiling height. Petitioner proposes to finish the ceiling
119 under the ductwork in the office. Finished ceiling height will be 6 foot 2 inches for a distance of
120 5 foot 6 inches by 11 foot 0 (zero) inches. In the bedroom, a variance is not required as the
121 finished ceiling is 6 foot 6 inches below the soffit areas.

122
123 Finally, there is an existing egress window in the bedroom. The sill height of the window is 48-
124 1/2 inches above the finished floor. The required maximum height is 44 inches. The Petitioner
125 proposes to install a 4-1/2 inch high step/platform at the window that will be 6 foot wide by 2 feet
126 deep. Petitioner does not state that the step will be permanently installed.

127
128 Mr. Mark Reyst was present to speak on behalf of the appeal. He stated that since the staff
129 reports indicated that it was not in favor of the petitioner's original proposals, he had some
130 alternate proposals to the original drawings.

131
132 ***Administrative Note:*** *Although the original proposals by the petitioner should have been*
133 *presented, Chair Ken Winters did allow the petitioner to state his alternate proposals as follows:*
134

135 "Concerning the proposed window platform, staff said you might be supportive of the variance if
136 a fully automatic, building wide smoke detection system was installed, and that if the step was
137 approved, he would be required to install a permanent sign on the step stating that the step and
138 sign are permanent, are part of the egress window system and are not to be removed. I could
139 construct the step out of concrete so that it is permanent.

140
141 K. Winters – Whether it is concrete or wood framing attached to concrete, that's up to you. Both
142 are acceptable by the Board.

143
144 "Concerning the minimum door height, the plan I submitted indicates a steel girder that runs
145 directly through the middle of the basement, basically cutting it in half. I was going to place the
146 partition wall from the stairway to the west wall. This would take most of the beam out of non-
147 compliance, except for the width of the door. I propose that if that is not acceptable, I can move
148 the door (per drawing submitted during this meeting), but there is no getting around walking
149 under the beam. This would be a ceiling height issue."

150
151 K. Winters – What is the actual ceiling height under the beam? (Petitioner – The beam is
152 projecting 8 1/2 " down from an 86" ceiling joist (actual height 6'7 1/2 ". By putting the door under
153 there with a 3/4 " door frame, I'm lowering the beam by an additional 3/4 ".)

154
155 K. Winters – You have a 7'4" ceiling and that is acceptable; under the beam, you have 6'7 1/2 " –
156 That is acceptable. (*General discussion by the Board on the door height. The door height would*
157 *be 6'3" after carpeting is installed.*)
158

159 "The final issue is ceiling height under the hvac ducting in the office and den. The ductwork
160 projects 9" from the surface of the floor joists. The customer wanted a suspended ceiling, but
161 I'm proposing to just 'box' those ducts in and finish with ½ " drywall flush so that it would only be
162 lowered ½ " from the existing 9"."

163

164 K. Winters – So, 9 ½ " below the 7'2", which puts that at 6'4 ½ ". (Petitioner – The
165 recommendation was to leave the ductwork exposed, but I'm hoping the Board will allow me to
166 finish that as stated with drywall.)

167

168 **Recommendation:**

169

170 A. Savoni - Staff is not supportive of the door height request as the door opening is too low.
171 Staff is not supportive of the ceiling height request in the office and would suggest that the
172 ductwork be left exposed to gain additional headroom. Finally, regarding the egress window,
173 staff would not be supportive of this request. The code specifically states that the bottom of the
174 opening must be a maximum of 44 inches from the finished floor and does not allow for any
175 provisions or exceptions for a step located at the window. We would suggest that if the Board is
176 supportive of granting any variance, a fully automatic, building wide smoke detection system be
177 a condition of the variance. Also, if the step is approved, Petitioner be required to install a
178 permanent sign stating that the step is a part of the emergency egress system and cannot be
179 removed.

180

181 K. Chamberlain – The Fire Department concurs with the Building Department. One of the
182 concerns of the doorway is that this is a part of the exit way, so that height is particularly
183 important.

184

185 **Comments and Questions from the Board**

186

187 P. Darling – Have you investigated making the ductwork smaller? Is there any space above the
188 duct work at all? (Petitioner – Those are the main lines that service the entire condo, and they
189 run parallel to the floor joists. They are butted up against the joists. They are 20 x 9. I don't
190 know that I could modify those without impacting the hvac system of the home.)

191

192 A. Savoni – Is there a problem at the bottom of the stairs? Does that beam go all the way
193 across? Does that affect the head room at the bottom? (Petitioner – Yes, it does.) So, you
194 don't have 6'8" at the bottom of the stairs? (No, I do. The drawing shows the step too far.)

195

196 K. Winters – Can we have that verified by a building inspector? (A. Savoni – The inspector will
197 verify that.) Is there also a point anywhere else that the ductwork is a problem? (Yes. He has a
198 few that he added after the fact in the bedroom, but those are smaller and are allowed.)

199

200 A. Savoni – Does the drop you show on plan 'B' – is that close to the entry door in the bedroom?
201 (Petitioner – Yes, but I would be willing to move the door to keep it away from that. The biggest
202 problem is the beam that can't be altered.)

203

204 K. Winters – Location of the door would at least allow a head clearance of 6'4", which we have
205 previously approved. (Petitioner – I did make a revised drawing.) *(The Board allowed the*
206 *petitioner to submit the revised drawing for the discussion, stating that if the petitioner modified*
207 *the plan and location of the door, no variance would be required for the door height.)*

208

209 P. Darling – From the bottom of the steel beam is 77 ½ " to the floor? Are your dimensions to
210 the finished floor or to the carpet? What is the finished floor material? (Petitioner – Carpeting,
211 which is generally 1" thick.) *(More discussion by the Board.)*

212

213 **MOTION #1**

214

215 Moved by P. Darling, Seconded by R. Hart, “in the matter of Appeal Number 2008-B-011,
216 1096 Greenhills Drive, the Board grants a variance from the 2003 Michigan Residential
217 Code, Section R310.1 to allow the construction of a raised platform that is in front of the
218 means of egress window out of the basement, a minimum of 3 ft. x 3 ft. in floor area and
219 not more than 8 inches tall, provided that a fully automatic, building-wide smoke
220 detection system be installed to the satisfaction of the Fire Marshal. A permanent sign
221 placed on the permanently installed platform indicating that this platform is not to be
222 removed and is a component of the emergency egress system shall also be a condition
223 of the variance. *The door to the path of the emergency egress window shall NOT
224 contain any locking device that would prevent egress access.”

225

226 **On a Voice Vote – MOTION TO APPROVE AS AMENDED – PASSED - UNANIMOUS**
227 **(Variance granted)**

228

229 ***R. Hart – Pointed out that the door would be in the path of egress, and would have to be**
230 **a non-locking door. “Moved to Amend the motion to say NON LOCKING DOOR – due to**
231 **only means of egress.” Friendly amendment accepted and added to the motion above.**

232

233

234 **MOTION #2**

235

236 Moved by P. Darling, Seconded by R. Hart, “in the matter of Appeal Number 2008-B-011,
237 1096 Greenhills Drive, the Board grants a variance from the 2003 Michigan Residential
238 Code, Section R305.1, to allow reduction in the ceiling height at 2 spots within the
239 basement as follows:

240

241 **1.) Under the steel beam between entryway and the indicated bedroom area, down to a**
242 **minimum finished ceiling height of 6’4”;** and

243

244 **2.) Allow a 6’4” ceiling height under the ductwork in the office/den area; in addition, that**
245 **shall not exceed 66” in width on the soffit below the ductwork, provided that a fully**
246 **automatic, building-wide smoke detection system be installed to the satisfaction of the**
247 **Fire Marshal. Door Location must be modified from the original plans to not be located**
248 **under said beam.**

249

250 **On a Voice Vote – MOTION TO APPROVE - PASSED - UNANIMOUS (Variance granted)**

251

252

253 **C-3 2007-B-012 – 453 Dupont Circle**

254

255 **Doug Selby, contractor for this property, is requesting a variance from Section R311.5.3.1**
256 **of the 2003 Michigan Residential Code.**

257

258 **Description and Petitioner Presentation**

259

260 The applicant is requesting a variance from Section R311.5.3.1 of the 2003 Michigan
261 Residential Code that states: “The maximum riser height shall be 8¼ inches.”

262

263 Petitioner is reworking the existing stair to the basement in a Victorian era home. The proposed
264 stair riser will be 8-9/16 inches. Code allows a maximum 8-1/4 inch riser height. Petitioner
265 states that due to structural conditions it would be very difficult to obtain the code compliant riser
266 height. Petitioner is reworking the existing stair to the basement in a Victorian era home.

267 The proposed stair riser will be 8-9/16 inches. Code allows a maximum 8-1/4 inch riser height.
268 Petitioner states that due to structural conditions it would be very difficult to obtain the code
269 complaint riser height.

270
271 Doug Selby of Meadowlark Builders was present to speak on behalf of the appeal. He stated
272 that this is a turn of the century home that was moved from the Kerrytown area out to Dupont
273 Circle about 20 years ago. In the act of placing it on a new foundation, it was placed on a
274 foundation that is actually 8' deep, which is significantly deeper than its original foundation.

275
276 The steps going down to the basement as they are currently located are extremely steep and
277 out of code. The homeowner stated that all of the residents have fallen on these at least once.
278 Part of the remodel is to correct that condition. They also have a kitchen that is small and
279 unusable and a bath area that is the same. The project was primarily to add a mudroom and
280 expand the kitchen to make a more useable bathroom downstairs.

281
282 There is a load bearing wall that is problematic with the stair. There was no other way to
283 achieve a code compliant stair without having to either bring the staircase into the existing
284 opening between the dining room and the kitchen or by removing portions of that load bearing
285 wall, thereby having to cut out all the wiring and heating and cooling runs that exist.

286
287 **Recommendation:**

288
289 A. Savoni - Staff would be supportive of this request based on the code section in Appendix J
290 "Existing Buildings and Structures" which states: *"Where compliance with these provisions or*
291 *with this code as required by these provisions is technically infeasible or would impose*
292 *disproportionate costs because of structural, construction or dimensional difficulties, other*
293 *alternatives may be accepted by the building official.* We would suggest that if the Board is
294 supportive of granting a variance, a fully automatic, building wide smoke detection system be a
295 condition of the variance.

296
297 K. Chamberlain – The Fire Department concurs with the Building Department.

298
299 **Comments and Questions from the Board**

300
301 K. Winters – The riser height is 10 5/16"? (Petitioner – The current height is 10 5/16", we would
302 like to make it 8 9/16" rather than 8 ¼" – so 5/16" out of code.) Will you have a 6'8" clearance
303 the entire way down? (Yes. We thought of adding a landing in the basement, but looking at the
304 projection line, this would mean having the landing further down and pushing that bottom tread
305 up would project up into the load bearing beam as well.)

306
307
308 **MOTION**

309
310 Moved by R. Hart, Seconded by A. Milshteyn, **"to grant a variance for Appeal Number 2008-**
311 **B-012, 453 Dupont Circle, to allow a variance from the 2003 Michigan Residential Code,**
312 **Section R311.5.1, to permit a proposed stair riser 8 9/16". We find this to be equivalent to**
313 **Appendix "J" of existing buildings and structures under the code, provided that a fully**
314 **automatic, building-wide smoke detection system be installed to the satisfaction of the**
315 **Fire Marshal.**

316
317 **On a Voice Vote – MOTION TO APPROVE - PASSED - UNANIMOUS (Variance granted)**

318
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320

Brian Williams, owner of this property, is requesting a variance from Sections R310.1 of the 2003 Michigan Residential Code.

Description and Petitioner Presentation

The applicant is requesting a variance from Section R310.1 that states: *“Basements with habitable space 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.”*

“Mr. Trenton Withrow as well as the owners of the property were present to speak on behalf of the appeal. He stated that they wished to finish the basement space and build a recreation area. The existing windows are egress sized windows, but do not meet the 44” requirement from the floor. We propose a 3’ x 3’ landing to achieve the 44” maximum window height. Both windows are identical and to alter one would look strange and we would have to alter the foundation wall. Both windows are above grade, and we’re asking to leave those as is.”

Recommendation:

A. Savoni - Staff would not be supportive of this request. The code specifically states that the bottom of the opening must be a maximum of 44 inches from the finished floor and does not allow for any provisions or exceptions for a step located at the window. We would suggest that if the Board is supportive of granting a variance, a fully automatic, building-wide smoke detection system and a permanently installed sign and step stating that the step is a part of the emergency egress system and cannot be removed, be a condition of the variance.

K. Chamberlain – The Fire Department concurs with the Building Department.

Comments and Questions from the Board

R. Hart – How high is the window above grade on the outside? (Petitioner – 18” – We would be right at soil to bring it down to code.) What is the foundation wall constructed of? (Poured concrete.) I will say outright that I’ll have a problem with this. A lot of the other appeals where we have approved the ‘step’ – when you get to the window, you don’t have to negotiate an 18” drop on the other side. That is a lot to ask for someone to get up on a platform, crawl out that window, and then have to negotiate getting out, around and over the window. I don’t know if the solution is to alter the outside to remedy that, but that’s a lot of work to get out of that window.

K. Winters – I see your point.

R. Hart – The previous appeals we’ve approved have provided photographs that show that you’re nearly at grade, but once you tumble out the window, you’re basically out. (Petitioner – What is the code for the first floor egress? Is there a certain height for that too? You’ll go down 3 to 4’ to get out a first floor window, correct?)

P. Darling – But the sill height is lower, so you’re not ‘climbing up’ on the inside and then going through it. (Petitioner – We could bring the soil up if that’s an issue).

K. Winters – It could be an issue for approval or disapproval in this case.

P. Darling – This is a 1980’s house? (Petitioner – 1990. There are 9’ ceilings, and that is part of the problem. They made the windows so they were above grade so there were no water issues.

375 You'd have to lower both to make it look right since they're both on the same wall. The second
376 window is where it slopes down and gets closer to grade – probably 14".) You could add an
377 additional window farther back in the basement that was code compliant and would also add
378 additional light and not have to build a platform. (Petitioner – The rest of our basement is
379 basically underground and that is the only end of the home that has light. There is a deck in the
380 back.)

381
382 R. Hart – What would the finished ceiling height in the basement be? (Petitioner –
383 Approximately 8' 8" or 8' 6" with the drop ceiling we're installing.

384
385 S. Callan – We're talking about an egress window that's used once in a million years, and to go
386 out the window 17" is not a big deal in my opinion.

387
388 K. Winters – I would think it would be easy to add soil to the back window to make it 8" – so it's
389 like a step, or a minimum amount that you want from grade to floor level.

390
391 R. Hart – Their drawing shows two steps to get to a platform that's at 44" – could it be done with
392 a few more steps and make it more like a staircase since they have extra headroom? They
393 could at least reduce the climb over the window – so instead of 44" it's possibly 30"?

394
395 *(General discussion by the Board regarding a solution to the egress situation.)*

396
397 **MOTION**

398
399 Moved by R. Hart, Seconded by A. Milshteyn, **"to grant a variance for Appeal Number**
400 **2008-B-013, 760 Watershed Drive, to allow a variance from the 2003 Michigan Residential**
401 **Code, Section R310.1, to permit a 24 inch high platform at the northeast corner egress**
402 **window in the basement. The platform shall consist of three 8" risers with permanently**
403 **affixed to the basement walls and floor, with permanent signage on the risers indicating**
404 **that this is not to be removed as it is a part of the emergency egress exit system. We find**
405 **this to be equivalent to the code, provided that a fully automatic, building-wide smoke**
406 **detection system be installed to the satisfaction of the Fire Marshal.**

407
408 **On a Voice Vote – MOTION TO APPROVE - PASSED - UNANIMOUS (Variance granted)**

409
410 ****Petitioner is to submit revised drawings to the Building Department that reflect the***
411 ***changes granted in the variance.****

412
413
414 **C-5 2008-B-014 – 1332 Culver Road**

415
416 **Jeff Stella, contractor for this property is requesting a variance from Sections R305.1 and**
417 **R311.4.2.1 of the 2003 Michigan Residential Code.**

418
419 **Description and Petitioner Presentation**

420
421 The applicant is requesting a variance from the following two sections of the 2003 Michigan
422 Residential Code.

- 423
424
- 425 • Section R305.1 requires a 7 foot 0 (zero) inch ceiling height in a basement with habitable
426 space, and allows beams/girders not less than 4 feet on center to project below, a
427 maximum of 6 inches.
 - 428 • Section R311.4.2 that states *"interior doors shall be not less than 24 inches in width and
6 feet 6 inches in height."*

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Petitioner is finishing a portion of the basement creating habitable space. The finished space consists of a den and office. A door is being installed under the existing steel beam. The door opening will be 6 foot 3-1/2 inches. Code requires a minimum 6 foot 6 inch door opening. This door opening leads to the den which contains the egress window.

Secondly, there are problems with the ceiling height. Petitioner proposes to finish the ceiling under the ductwork in the den. Finished ceiling height under the duct will be 6 foot 4 inches.

Mr. Jeff Stella of Stella Contracting was present to speak on behalf of the appeal. “We’ve just completed a finished basement at this home, and it was brought to our attention that the door that we had installed (3 ft. wide) is finishing out at 75 ½ “ above the finished floor height, and that is from the floor height to the bottom of the door stop (not the jam). It is a new office in the basement with a new egress window; outside of the office is storage. The basement is connected to an existing garage with an egress door out into the garage. Primarily, the new egress window is used for the new office. We didn’t see it being used for the rest of the basement, considering the garage door was already available.

That door has a non-locking lever on it, and the home has new smoke detectors. We’re also requesting to drywall under the existing ductwork, where we’re short a ½ “ – the ductwork cannot be raised or modified. The height below the ductwork is approximately 76”.

Recommendation:

A. Savoni - Staff is not supportive of the door height request as the door opening is too low considering it leads to the room containing the egress window. Staff is supportive of the ceiling height request. We would suggest that if the Board is supportive of granting any variance, a fully automatic, building wide smoke detection system be a condition of the variance.

K. Chamberlain – The Fire Department concurs with the Building Department.

Comments and Questions from the Board

R. Hart – The bottom of the steel beam is at 6’ 5 ½ “? (Petitioner – The bottom of that beam is 6’5” or 77”.)

P. Darling – Are those dimensions from finished floor or concrete to the beam? (Petitioner – It is for the beam – concrete to steel, and we’re proposing a vinyl floor.)

(General discussion by the Board and petitioner on possible solutions and other egress routes.)

MOTION

Moved by P. Darling, Seconded by R. Hart, “to approve a variance for Appeal Number 2008-B-014, 1332 Culver Road, from the 2003 Michigan Residential Code, Sections R305.1 and R311.4.2.1, to allow reduced ceiling heights below a soffit in the office, laundry room and media room to a height of 6’4” finished; and to allow a door height of 6’4” finished in the office by removing the stop along the top of the door. We find this to be equivalent to what the code requires, provided that a fully automatic, building-wide smoke detection system be installed to the satisfaction of the Fire Marshal.

On a Voice Vote – MOTION TO APPROVE - PASSED - UNANIMOUS (Variance granted)

483 **D - OLD BUSINESS**

484
485 **D-1 2006-B-030 – 517 Felch Street – (Clarification)**

486
487 **Cameron Magoon, representative for the owner asks for clarification on a former appeal.**

488
489 A. Savoni – This variance was granted to the previous owner back in September of 2006 and the
490 new owner and contractor spoke with us regarding questions on the basement. Rather than
491 make them wait to clarify the appeal, we present this now as we have a ceiling height problem at
492 the beam – the former variance was granted at 6’3” – it’s turned out now that during the
493 construction, the actual measurement is 6’2 ¾ “.

494
495 Cameron Magoon, builder on the project, was present to speak on behalf of the clarification. As
496 stated, the previous owner and builder had proposed to add a bedroom/sleeping area in the
497 basement. The new owner isn’t going through with those plans, and only wished to install a
498 bathroom (which we built). The inspector looked at it, and discovered that some portions of the
499 beam are actually at 6’ 2 ¾ “. Most of the beam indicated on the plans is 6’3” – some areas
500 wobble and dip at the wall to 6’ 2 ½ “. Everything else was approved to drywall and finish except
501 beyond the beam due to the height discrepancy.

502
503 A. Savoni – This was originally going to be habitable space, but is now just a bathroom and
504 storage area. Technically, you don’t have to go over to that side to get to the bathroom. We
505 want to clarify this in case he wants to eventually finish the basement. Currently, he wouldn’t
506 need a variance as it is. Since it was previously approved, we sought clarification from the
507 Board.

508
509 K. Winters – It will now be used as storage, except for the bathroom? (Petitioner – Correct. It
510 will not have dry wall on the ceilings, just the perimeter walls.

511
512 *(General discussion by the Board and Petitioner on why a bathroom might be needed in an*
513 *unfinished space. A. Savoni stated that this is allowed; however, if it is discovered that the*
514 *basement is finished off after the fact without informing the Building Department, that that would*
515 *cause problems. The Board also discussed other solutions for the current owner. Because the*
516 *washer and dryer are in the basement, it should have a 7’ ceiling, as well as the path to the*
517 *washer/dryer, or 6’6” around the beam, and he has 6’3” or less than that. Even though he is*
518 *calling it ‘storage,’ it’s essentially a large laundry room. You have to go under this beam to get to*
519 *the laundry room.)*

520
521 The Board concluded that **they would leave the former variance as it was approved**, and
522 would leave the final solution up to the contractor. ***If the new drywall installed does not pass***
523 ***the point where the beam reaches 6’2 3/4”, then it is not considered a part of the project***
524 ***and should not be included in the inspection as “finished space.”***

525
526
527 **D-2 2007-DBSC-001 – 800 North Main Street (Final Show-Cause Hearing)**

528
529 *Rev. Melvin Lewis, owner of the property, was directed by the Board to clean up the site and*
530 *secure the building within 30 days of the December meeting. Rev. Lewis was also directed by*
531 *the Board to present a site plan prepared by a design professional within 60 days of the*
532 *December meeting. Staff has not been contacted by Rev. Lewis regarding the condition of the*
533 *building. **NOTE: The Building Department has “Posted” notice on the property that there***
534 *is a last Show Cause Hearing regarding his property, as they have not accepted the*
535 *certified mail notices sent to them. (Referred to the City Attorney’s office for further*
536 *direction)*

537 **D-3 2007-DBSC-002 – 309 North Seventh Street**

538
539 A. Savoni – Stated that the Board was provided a notice from Inspection Supervisor Jeff Ellis
540 stating that he has spoken with the owner, Mr. Green. Inspections were conducted at the home
541 by City of Ann Arbor Building Inspectors, and it was concluded that there were no ‘life
542 threatening’ issues at this time. The owner has been given an extension until the end of May
543 2008 to obtain the required permits and final inspections citing during the initial required
544 inspections. Unless we receive additional notice from Mr. Ellis to the contrary, this issue has
545 been taken off of the Dangerous Buildings agendas.

546
547 . **E – NEW BUSINESS** – None.

548
549 **F - REPORTS & COMMUNICATIONS** (Covered under Old Business).

550
551 **G - AUDIENCE PARTICIPATION – GENERAL** – None.

552
553 **ADJOURNMENT**

554
555 Moved by S. Callan, R. Hart, “**that the meeting be adjourned.**” The meeting was adjourned
556 without opposition at 2:58 p.m.

557
558 ***Minutes prepared by B. Acquaviva, Administrative Support Specialist V***