



**APPROVED MINUTES OF THE REGULAR SESSION OF THE
BUILDING BOARD OF APPEALS OF THE CITY OF ANN ARBOR
AUGUST 13, 2008 - 1:30 P.M. – SECOND FLOOR – COUNCIL CHAMBERS
100 N. FIFTH AVENUE, ANN ARBOR, MI 48104**

MEETING CALLED TO ORDER at 1:31 p.m. by Chair Kenneth Winters

ROLL CALL

Members Present: (5) K. Winters, R. Hart, R. Reik,
P. Darling and S. Callan (arr. 1:33 p.m.)

Members Absent: (0)

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

A - APPROVAL OF AGENDA

A-1 Approved as Presented without opposition.

B - APPROVAL OF MINUTES

B-1 June 2008 Draft Minutes

Moved by R. Reik, Seconded by P. Darling, "to approve the June 11, 2008 Draft Minutes."

On a Voice Vote – MOTION PASSED – UNANIMOUS (*Approved as Presented*)

B-2 July 2008 Draft Minutes – Postponed to the September Regular Session.

C - APPEALS & ACTION

C-1 BBA08-001 – 1450 Creekbend Court

Mark Ford, owner of 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 sections R310.1 of the 2003 Michigan Residential Code which states: "*Basements with habitable space and every sleeping room 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. There an existing egress window in the proposed bedroom. The sill height of the window is 51 inches above the finished floor. The required minimum height is 44 inches.

52 The Petitioner proposes to install a either a 18 inch deep, 20 inch high window seat or a 3 foot
53 deep, 4 foot 8 inch wide 8 inch high platform in front of the window. Petitioner states that either
54 would be permanently installed.

55
56 Mr. Jeff Rittenhouse, contractor on this project, was present to speak on behalf of the appeal.
57 He stated that the egress window at issue has a sill height of 51" above the inside slab, and
58 they're asking for a variance to either add a platform or built-in window seats to raise this up to
59 meet the egress requirement.

60
61 **Recommendation:**

62
63 A. Savoni – Staff would not be supportive of this request. The code specifically states that the
64 bottom of the opening must be a maximum of 44 inches from the finished floor and does not
65 allow for any provisions or exceptions for a step or bench located at the window. We would
66 suggest that if the Board is supportive of granting any variance, a fully automatic, building wide
67 smoke detection system be a condition of the variance. Also, if the step or bench is approved,
68 Petitioner should be required to install a permanent sign stating that this is a part of the
69 emergency egress system and cannot be removed.

70
71 K. Chamberlain – The Fire Department states that they would like to have an unencumbered
72 means of egress. This situation does not provide that smooth means of egress.

73
74 **Comments and Questions from the Board**

75
76 P. Darling – What is the ceiling height at this space? (Contractor – At the window it is 8', but it
77 will be drywalled. Just back from the window (approximately 2 feet back) there is some soffiting
78 that brings it down about another foot – to approximately 7').

79
80 K. Winters (To A. Savoni) – He meets code with the ceiling at the soffit? (A. Savoni – He does,
81 but then the question is now – standing on that proposed platform, you wouldn't have a 3 foot
82 requirement. That back foot of the platform will now be 6'5"). If they put a bench in there that is
83 18 or 20" high, that brings the ceiling height in front of that window to 6 ½'.

84
85 R. Hart – How much alteration is being done in the basement? (The entire basement – a
86 complete finish of the entire basement). If you did replace the window and lower the sill by 7",
87 why would you have to touch the header? (We wouldn't have to touch the header, but we would
88 have to buy a new window and find a way to match the existing brick.

89
90 P. Darling – (Gave suggestions on brick matching).

91
92 R. Hart – In the overall scheme of things, it doesn't seem to be that big of a stretch, since you'll
93 have to make a window bench and the additional work going into this, I question why this is
94 such a hardship to get a new window and lower it. (Contractor – It's cost and worrying about
95 marring the appearance of the outside. A permanent step is much cheaper than a new window.
96 A new window of that size is approximately \$800.00, plus the cost to install it.

97
98 P. Darling – Stated that the Board considers life-safety issues to be more important than cost. It
99 does seem physically feasible to modify to make it code compliant. If there were other structural
100 issues that made it more difficult, then that would be different.

101
102 K. Winters – You don't have a concrete wall below that window? (No. The entire whole front
103 wall is a 2 x 6 framed wall because it is a walk-out on that side of the basement, but the portion
104 by the window is concrete).

106 **Discussion:**

107
108 *(Discussion by the Board on prohibiting a bench at all or limiting that height. The contractor*
109 *stated that he would do whatever needed to be done. It was suggested that the platform could*
110 *be made 2' out instead of the usual 3' that the Board would normally suggest (normal "landing"*
111 *size). The contractor expounded on what a problem it would be to change the window itself as it*
112 *was built incorrectly by the original builder. He stated that they would be willing to carpet any*
113 *step that they might be allowed to build for egress compliance in order to make it a 'built-in' so*
114 *that any future owners would not remove it).*

115
116 **MOTION**

117
118 Moved by R. Reik , Seconded by S. Callan, **"In regard to Appeal Number BBA08-001,**
119 **1450 Creekbend Court, that the Board grants a variance from Section R310.1 of the 2003**
120 **Michigan Residential Code to permit a platform no more than 2 feet in depth, no more**
121 **than 8 inches in height and a minimum width equal to the window opening, provided that**
122 **the platform be marked as a permanent installation that is a part of the emergency egress**
123 **system and is not to be removed. A fully automatic, building-wide smoke detection**
124 **system is installed to the satisfaction of the Fire Marshal. We find this to be equivalent to**
125 **what the Code requires."**

126
127 **On a Voice Vote – MOTION PASSED – *UNANIMOUS (Variance Granted)***

128
129
130 **C-2 BBA08-002 - 2475 Adare Road**

131
132 **Description and Petitioner Presentation**

133
134 **Michael Clark of Vinewood Custom Builders, contractor for this property, is requesting a**
135 **variance from Sections R305.1 of the 2003 Michigan Residential Code.**

136
137 The applicant is requesting a variance from Section R305.1 of the 2003 Michigan Residential
138 Code that requires a 7 foot 0 (zero) inch ceiling height in a basement with habitable space, and
139 allows beams/girders not less than 4 feet on center to project below, a maximum of 6 inches.

140
141 Petitioner is finishing a portion of the lower level of this house creating a mud room. The room
142 contains ductwork. The finished ceiling height under the ductwork will be 6 foot 8 inches. The
143 width of this soffit area is 7 foot 0 (zero) inches.

144
145 Mr. Michael Clark was present to speak on behalf of the appeal. He stated that he is the
146 President of Vinewood Custom Builders and that they are currently remodeling this residence
147 that has existing ductwork in the mudroom ceiling. They removed it to install new ductwork that
148 was wider but not deeper and this is creating a finished ceiling height of 80 inches rather than
149 84 inches required by Code. The width of this soffit is 7 feet wide as opposed to the 48 inches
150 on center as required by Code. They are not able to go any shallower with the duct system and
151 still maintain the efficiency of the HVAC system, so they're requesting a variance for these.

152
153 **Recommendation:**

154
155 A. Savoni - Staff is supportive of the ceiling height request. We would suggest that if the Board
156 is supportive of granting any variance, a fully automatic, building wide smoke detection system
157 be a condition of the variance.

158
159 K. Chamberlain – The Fire Department concurs with the Building Department.

160 **Comments and Questions from the Board**

161

162 R. Reik – What type of finish are you using at the bottom of the duct? (Drywall up against the
163 ductwork). Is the garage area being finished as well? (Contractor - It was finished, we're
164 patching up what we opened up. It's already drywalled).

165

166 P. Darling – The photograph shows that you're dropping the ceiling using either 2 x 2 or 2 x 4
167 framing below the ductwork? (Correct. We did that because of the seven foot span, so it's 1 ½
168 inches below the ductwork).

169

170 K. Winters – On the plan you have the door swinging into the mud room. The ceiling is 6'8" –
171 what is the door height? (We're taking a standard 80" door and trimming about an inch off of it
172 where it will just clear that). Door height requirement is 6'6"? (A. Savoni – Yes).

173

174 **Discussion:**

175

176 **MOTION**

177

178 Moved by P. Darling, Seconded by R. Reik, **"In regard to Appeal Number BBA08-002,**
179 **2475 Adare Road, that the Board grants a variance from Section R305.1 of the 2003**
180 **Michigan Residential Code to permit a 6 foot, 8 inch finished ceiling height in the**
181 **mudroom and a soffit width of up to 7 feet in width, provided that an interconnected,**
182 **building-wide smoke detection system be installed to the satisfaction of the Fire**
183 **Marshall. We find this to be equivalent to what the code requires."**

184

185 **On a Voice Vote – MOTION PASSED - *UNANIMOUS (Variances Granted)***

186

187

188 **C-3 BBA08-003 – 2411 Londonderry**

189

190 **Alpha Remodeling, contractor for this property, is requesting a variance from Sections**
191 **R305.1 and R311.4.2.1 of the 2003 Michigan Residential Code.**

192

193 **Description and Petitioner Presentation**

194

195 The applicant is requesting a variance from the following sections of the 2003 Michigan
196 Residential Code:

197

- 198 • Section R305.1 that requires a 7 foot 0 (zero) inch ceiling height in a basement with
199 habitable space, and allows beams/girders not less than 4 feet on center to project
200 below, a maximum of 6 inches.
- 201 • Section R311.4.2.1 that states *"Interior doors shall be not less than 24 inches in width*
202 *and 6 feet, 6 inches in height."*

203 •

204 Petitioner is remodeling the basement constructing a family room, office, bedroom and
205 bathroom. Per the plan:

206

- 206 • The finished ceiling in a majority of the basement will be 6 foot 10 inches.
- 207 • The finished ceiling in the bathroom will be 6 foot 8 inches.
- 208 • There is a soffit in the laundry room with a finished ceiling height of 6 foot 8 inches.

209

210 Petitioner also states that the doors into the bathroom, laundry room and mechanical room will
211 need to be 6 foot 4 inches rather than the required 6 foot 6 inches because of ductwork and
212 piping in these locations.

213 Mr. Randy Schreck of Alpha Remodeling Company was present to speak on behalf of the
214 appeal. He stated that they were asking for a variance for ceiling height from the 7 foot Code
215 requirement to 6'10" throughout the basement area. They also request a variance for a soffit
216 near the laundry area. They can maintain 6'5" of headroom and will also need an additional
217 variance for the doors into the mechanical and bathroom areas – at 6'4". I was just alerted that
218 the bathroom ceiling height is 6'7" and the Code requires 6'8" in front of any fixture.

219
220 We did replace a door at the base of the stairwell going toward the storage area, but that was
221 existing and the door area is 6'1".

222
223 **Recommendation:**

224
225 A. Savoni - Staff is supportive of the ceiling height and door height requests. We would suggest
226 that if the Board is supportive of granting any variance, a fully automatic, building wide smoke
227 detection system be a condition of the variance.

228
229 K. Chamberlain – The Fire Department concurs with the Building Department.

230
231 **Comments and Questions from the Board**

232
233 R. Hart – The soffit into the laundry room is 6'5" not the 6'8" listed on the submitted plans?
234 (Yes). And the bathroom will be 6'7"? (Yes. There is a notation that it will be 6'8 on the
235 submissions, but it is 6'7"). Which doors are the problem? (Those going into the bathroom,
236 laundry room and mechanical room next to the laundry – those are 6'4". There is a storage
237 room that is 6'1").

238
239 A. Savoni – Stated that there is no requirements for headroom on storage rooms, so that is not
240 a consideration.

241
242 *(Discussion between the Board and the Contractor on the plumbing runs, soffits and headroom).*

243
244 K. Winters – The only soffit there is 2' wide in the laundry room? (Petitioner – It's probably
245 closer to 2'6").

246
247 R. Hart – What is causing the 6'5" headroom in the laundry? (Soffits. We plan to put the drywall
248 flush against it. It will be steel studded out – channeling).

249
250 P. Darling – If the egress exit is through those doors and up the stairs, that is rather low. Is it
251 possible to put another egress window in the portion indicated on the plans as the 'study?' (It
252 would be a hardship to do so. There is a porch that runs all the way along that area).

253
254 **MOTION**

255
256 Moved by R. Hart, Darling Seconded by R. Reik, **"In regard to Appeal Number BBA08-003,
257 2411 Londonderry Road, the Board grants a variance from Section R305.1 and R311.4.2.1
258 of the 2003 Michigan Residential Code, permitting a minimum finished ceiling height in
259 the basement of 6 feet, 10 inches; a minimum finished ceiling height in the bathroom of 6
260 feet 7 inches; a soffit at the laundry room entrance with a minimum finished ceiling
261 height of 6 feet 5 inches and a maximum width of 30 inches; door heights of 6 feet 4
262 inches into the laundry room, bathroom and mechanical rooms. A fully automatic,
263 building-wide smoke detection system shall be installed to the satisfaction of the Fire
264 Marshal. We find this to be equivalent to what the Code requires."**

265
266 **On a Voice Vote – MOTION PASSED – UNANIMOUS (Variances Granted)**

F. Scott Company, contractor for this property, is requesting a variance from Sections R311.5.1 and R311.5.4 of the 2003 Michigan Residential Code.

Description and Petitioner Presentation

The applicant is requesting a variance from the following sections of the 2003 Michigan Residential Code:

- Section R 311.5.1 that states *“Stairways shall not be less than 36 inches in clear width at all points above the permitted handrail height and below the required headroom height. Handrails shall not project more than 4.5 inches on either side of the stairway and the minimum clear width of the stairway at and below the handrail height, including treads and landings, shall not be less than 31.5 inches where a handrail is installed on one side.”*
- Section R311.5.4 that states *“There shall be a floor or landing at the top and bottom of each stairway. The width of each landing shall not be less than the stairway served. Every landing shall have a minimum dimension of 36 inches measured in the direction of travel.”*

Petitioner is rebuilding a stairway to the basement. The new stair will meet code with regard to riser height, tread depth and headroom. Due to structural constraints the stair will not meet code with regard to width. The proposed width of the stair will be 30 inches. Code requires a minimum width of 36 inches. The landing will be 32 inches. Code requires a minimum landing of 36 inches by 36 inches.

Mr. Scott Klaassen was present to speak on behalf of the appeal. He stated that there is an old stairway that accesses the basement, and they are proposing to rebuild it to better accommodate access and comply closer to code. It is a steep rise and run. It can be rebuilt so that the headroom complies with code, but the width would not meet code. They would require a 32” (not 30”) clearance for the width and the landing and stairs.

Recommendation:

A. Savoni - Staff would be supportive of granting this request based on Appendix J of the code which states: *“Where compliance with these provisions or with this code as required by these provisions is technically infeasible or would impose disproportionate costs because of structural, construction or dimensional difficulties, other alternatives may be accepted by the building official.”* If the board is supportive of granting this variance, we would suggest a fully automatic, building wide smoke detection system should be a condition of the variance.

K. Chamberlain – The Fire Department will also support this. Even though the width is restricted, the improvements will make that a safer and more accessible area for egress.

Comments and Questions from the Board

R. Hart – The final landing will be 36” deep by 32” wide? (The 36” is an intermediate landing. There is plenty of room at the bottom. There is a stairway stacked about this, so there it is constricted by this and won’t allow additional width).

P. Darling – Are there new or existing sleeping rooms there? (Petitioner – There are two new bedrooms and a bath. Both bedrooms have egress windows). What type of handrails will you install? (There would be a wood handrail cut into the width of the stairway).

321 **MOTION**

322

323 Moved by P. Darling, Seconded by R. Hart, “In regard to Appeal Number BBA08-004,
324 **504 Walnut Street, the Board grants variances from Sections R311.5.1 and R311.5.4 of the**
325 **2003 Michigan Residential Code, to permit reconstruction of the stairway from the first**
326 **floor to the basement which will comply with code except for the width, which will be no**
327 **less than 32 inches wide and the landing at 32 inches wide x 36 inches deep. A fully**
328 **automatic, building-wide smoke detection system shall be installed to the satisfaction of**
329 **the Fire Marshal as a condition of this variance. We find this to be equivalent to what the**
330 **Code requires.”**

331

332 **On a Voice Vote – MOTION TO APPROVE – UNANIMOUS**

333

334 **C-5 BBA08-005 - 1939 Peppermill Way**

335

336 **Diego Ascani, owner of this property and Harold Klee, contractor, are requesting a**
337 **variance from Sections R305.1 and R311.4.2.1 of the 2003 Michigan Residential Code.**

338

339 **Description and Petitioner Presentation**

340

341 The applicant is requesting a variance from the following sections of the 2003 Michigan
342 Residential Code:

343

- 344 • Section R305.1 that requires a 7 foot 0 (zero) inch ceiling height in a basement with
- 345 habitable space, and allows beams/girders not less than 4 feet on center to project
- 346 below, a maximum of 6 inches.
- 347 • Section R311.4.2.1 that states “*Interior doors shall be not less than 24 inches in width*
- 348 *and 6 feet, 6 inches in height.*”

349

350 Petitioner is remodeling the basement constructing a family room, office, den and bathroom.
351 Per the petition:

352

- 353 • The finished ceiling in a majority of the basement will be 6 foot 11-1/2 inches.
- 354 • The finished soffit under the ductwork has a ceiling height of 6 foot 1-3/4”. The soffit is
- 355 48-1/2 inches wide.
- 356 • There are 4 door openings/pass throughs in a wall located under the existing beam. Two
- 357 openings are 6 foot 2-1/2 inches high. Two door openings are 6 foot 3-1/2 inches high.

358

359 Petitioner states that the basement is a walkout.

360

361 Staff is supportive of the general ceiling height request in the majority of the basement but not in
362 favor of the lowered ceiling height at the soffit and at the door and pass through openings. It
363 may be necessary to leave the ducts exposed and/or reconfigure the basement to avoid these
364 problems. We would suggest that if the Board is supportive of granting any variance, a fully
365 automatic, building wide smoke detection system be a condition of the variance.

366

367 Mr. Harold Klee and Mr. Diego Ascani were present to speak on behalf of the appeal. Mr. Klee
368 states that the basement was finished, but they stripped it out and reworked it. He also states
369 that this appeal involves a previous appeal granted by the Board (Appeal Number 2007-B-009),
370 and that the previous measurements stated by the former contractor were incorrectly presented.
371 Because of the supporting 8” “I” beam and a large cold air return that runs the length of the
372 basement, they are asking it to project in excess of the 6” requirement and the door height that
373 does not meet what was previously approved.

374 **Recommendation:**

375
376 A. Savoni - Staff is supportive of the general ceiling height request in the majority of the
377 basement but not in favor of the lowered ceiling height at the soffit and at the door and pass
378 through openings. It may be necessary to leave the ducts exposed and/or reconfigure the
379 basement to avoid these problems. We would suggest that if the Board is supportive of granting
380 any variance, a fully automatic, building wide smoke detection system be a condition of the
381 variance.

382
383 K. Chamberlain – The Fire Department concurs with the Building Department. We are
384 concerned with impeded egress at that lowered headroom area.

385
386 **Comments and Questions from the Board**

387
388 R. Hart – In the application it states that the conditions that require this appeal existed from
389 when the house was built – so are all those doors existing or are these a part of the previous
390 renovation? (Mr. Klee – These are a part of the previous renovation. The basement was
391 divided with doors when they purchased the house. These doors had a lesser height than what
392 currently exists.) Petitioner stated that this is a walk-out basement with egress windows.

393
394 A. Savoni – Are there bedrooms in the basement? (No). The rest is a rec-room and office and
395 mechanical room? (Yes, and a full bathroom).

396
397 K. Chamberlain – Are there windows out of the den? (No).

398
399 R. Hart – If you were to expose the “I” beam, do you have any room underneath the bottom of
400 the beam? (The door jambs are butted up to the bottom of the beam).

401
402 *(The Board discussed the areas near the projection of the ceiling heights. The petitioner stated*
403 *that the contractor framed this incorrectly. Staff stated that they were unaware that this variance*
404 *was any kind of ‘continuation’ of the former variance granted to this address, and was not*
405 *presented to the Board in that way. Petitioner stated he was unaware that he needed to do that.*
406 *Staff provided the Board with impromptu copies of the former variance information granted to*
407 *this address).*

408
409 K. Winters – The 6’1 ¾” and the 6’ 2 ¼” heights for soffits and doors is not going to be
410 acceptable by the Board. If there is 7’ 2 ¼” to the underside of this wood framing, you might be
411 able to get 6’4” under that beam. (It would take some work to remove the 2 x 4 from the
412 underside of the beam and the drywall and reconfigure it so that we could gain some space
413 there). This may be the only way you can get a variance at the soffit with 6’4”. This is the
414 minimum that the Board would ever allow. (That is doable).

415
416 The petitioner states that he believes that the former contractor placed ½” drywall on the
417 underside of the duct, ½” plywood on the other side of the duct, then drywall. K. Winters
418 suggested that it might be better to know exactly how much space that the petitioner has
419 available to him to be able to gain additional space at the soffit. Based on the lowered heights,
420 the chair suggested that they might table the issue to allow time for the petitioner to investigate
421 his possibilities.

422
423 *(There was additional discussion on the soffit – being 4’ on center and what was allowable. The*
424 *chair clarified for the petitioner what is actually allowed by code and the Board’s interpretation of*
425 *that code, which is that the maximum width of any soffit area allowable by code is 4’ in width. A*
426 *Savoni also stated that there appears to be problems with headroom in the lavatory. The code*
427 *requires 6’8” over the fixtures, as well as the headroom issues under the doorways and ducts).*

428 **MOTION**

429
430 Moved by R. Reik, Seconded by S. Callan, “In regard to Appeal Number BBA08-005,
431 **1939 Peppermill Way, that the Board TABLES this issue for sixty (60) days to allow the**
432 **petitioner time to reevaluate the project and find alternative ways to achieve at least**
433 **6 feet four inches in ceiling height everywhere in the basement as was specified in the**
434 **previously approved Appeal Number 2008-B-009 as well as 6 feet four inch clearances on**
435 **all of the doors.”**

436
437 **On a Voice Vote - MOTION TO TABLE - PASSED – (Tabled for 60 Days).**
438 **(Appeal to be reheard (if required) no later than the October 2008 Regular Session)***

439
440
441
442 **D - OLD BUSINESS**

443
444 **D-1 2008-B-021 – 2205 Brockman Boulevard**

445
446
447 **Description and Petitioner Presentation**

448
449 **John Barrie, architect for this property, is requesting a variance from Section R311.5.2 of**
450 **the 2003 Michigan Residential Code.**

451
452 **(Note: Postponed from the June and July Sessions – NO REVISED DATA)**

453
454 The applicant is requesting a variance from Section R311.5.2 of the 2003 Michigan Residential
455 Code that requires “*the minimum headroom in all parts of the stairway shall not be less than 6*
456 *feet 8 inches measured vertically from the sloped plane adjoining the tread nosing or from the*
457 *floor surface of the landing or platform.”*

458
459 Petitioner is reworking the stair from the first to the second floor. The headroom in a portion of
460 this stair is a maximum of 6 foot 1-1/2”. Code requires a minimum headroom of 6 foot 8 inches.
461 Petitioner states that there is a second stair to the second floor that does meet headroom
462 requirements. Petitioner also states that the new headroom is an improvement over the existing
463 headroom but does not state what the existing conditions are.

464
465 Mr. John Barrie was present to speak on behalf of the owner. He stated that they rebuilt the
466 stairs in question and were able to get the headroom on the stairs to 6’8” on the rough framing;
467 however, with drywall, it will be no lower than 6’7”, so he is asking for a variance for that
468 amount. They used large amounts of steel and reworked everything possible to increase the
469 headroom. *(He passed out this information in paper form at the meeting).*

470
471 **Recommendation:**

472
473 A. Savoni - Staff is supportive of this new request.

474
475 K. Chamberlain – The Fire Department concurs with the Building Department.

476
477 ***(NOTE: Staff provided the architect with a list of outstanding permits that will require an**
478 **additional inspection fee and a final passing inspection as a condition of any variance that the**
479 **Board grants – Permit Numbers **PG070158** and **PM072479**).**

480 **Comments and Questions from the Board**

481
482 R. Hart – So the ‘S’ shaped piece that was on the leading edge of the landing is no longer
483 there? (The “S” shaped piece is an existing part of the structure, so we haven’t removed that).
484

485 K. Winters – Where is that in relation to the width of the stair? (The “S” shaped piece, which is
486 below the 6’8” headroom is existing structure and is the complete width of the stair). You then
487 don’t have 6’8”? (It’s existing construction. The existing house has existing construction, and
488 we built the new stair on top of that. We haven’t made it any worse than it was.)
489

490 A. Savoni – He’s not touching the bottom stair, and he’s not touching the floor, so we can’t make
491 him comply. It’s only from the second floor to the third floor that we can deal with.
492

493 *(Discussion by the Board on the subject of existing and new construction as it relates to code).*
494

495 **MOTION**

496
497 Moved by P. Darling, Seconded by S. Callan, “**In regard to Appeal Number 2008-B-021,**
498 **2205 Brockman Blvd., the Board grants a variance from Section R311.5.2 of the 2003**
499 **Michigan Residential Code, to allow a finished ceiling height for the new stair between**
500 **the second floor and attic level, to have a headroom of not less than 6 feet 7 inches to the**
501 **finished drywall. A fully automatic, building-wide smoke detection system shall be**
502 **installed to the satisfaction of the Fire Marshal as a condition of this variance. We find**
503 **this to be equivalent to what the Code requires.”***

504
505 **On a Voice Vote – MOTION PASSED – 3 Yea to 2 Nay (Variance Granted)**
506 **(Yea (3) – S. Callan, P. Darling and R. Reik), (Nay (2) – R. Hart and K. Winters)**
507

508
509 **D-2 2008-B-028 – 1702 Covington Drive**
510 *(Postponed from the July Regular Session*
511

512 **Description and Petitioner Presentation**

513
514 **Basement Experts of America, contractor for this property, is requesting a variance from**
515 **Section R305.1 of the 2003 Michigan Residential Code.**
516

517 The applicant is requesting a variance from Section R305.1 of the 2003 Michigan Residential
518 Code that requires a 7 foot 0 (zero) inch ceiling height in a basement with habitable space, and
519 allows beams/girders not less than 4 feet on center to project below, a maximum of 6 inches.
520

521 Petitioner is remodeling the basement constructing a Family Room. The proposed finished
522 ceiling height will be 6 foot 10 inches. The finished ceiling under the soffit covering the ductwork
523 will be 6 foot 4 inches. Petitioner is installing an egress window in the basement.
524

525 Mr. Derrick Szepiela of Basement Experts of America was present to speak on behalf of the
526 appeal. He stated that they are changing an existing finished basement that currently has
527 drywall and wallboard with an existing drop ceiling. Under the 4’ wide ductwork under the beam
528 there is an existing soffit of 6’3”. The ductwork is at 6’5 ¾” and the beam is just a little over 6’5”.
529 We’re proposing to tear the old ceiling out and put a new drop ceiling in place to allow continued
530 access to the areas and make that new ceiling height 6’4”, which is an increase of 1” in
531 headroom. The current existing field of the basement is 6’9”, we propose to remove that and
532 install a new 2 x 2 drop ceiling with a headroom of 6’10”, an increase of 1”. The current joists in
533 that area are generally just below 7’. The wall system will be replaced in most of the area.

534 **Recommendation:**

535

536 A. Savoni - Staff is supportive of this ceiling height request. We would suggest that if the Board
537 is supportive of granting any variance, a fully automatic, building wide smoke detection system
538 be a condition of the variance.

539

540 K. Chamberlain – The Fire Department concurs with the Building Department, but would ask
541 consideration for the restricted area. This is the direct route to the stairway which is the
542 common means of egress.

543

544 Mr. Szepiela stated that they will also be adding a home-wide smoke detection system in
545 addition to one detector in each bedroom and one each in the finished area of the basement
546 and the storage area. As to the egress area, they would be happy to include a sign stating that
547 this is the direction of egress exit.

548

549 A. Savoni – Wants verification that there are no locks on any of the doors in the basement.

550

551 **Comments and Questions from the Board**

552

553 P. Darling (To K. Chamberlain) – Does the smoke detection system seem to meet your approval
554 or do you require a drawing to show where they propose to put them or will they need additional
555 detectors?

556

557 K. Chamberlain – Yes, we would like to see a drawing. (Mr. Szepiela stated that he could
558 provide the Fire Marshal with a drawing of the layout of the first floor of the home from the
559 homeowner. The inspectors do test these when they do their final inspection).

560

561 K. Winters – Off of the recreation room there is a storage room and a bathroom. Is there a
562 doorway to those? (Yes. Those are existing). The egress window is in the storage space of
563 the basement? (Yes). Would it be better if a wall was constructed along that area and the door
564 removed? It would be much more apparent for egress. (Unfortunately, due to the layout of the
565 driveway which is poured directly against the foundation of the home, the front is too close to the
566 street and the back the opening near the back door is surrounded by a deck, so this is why we
567 chose the egress we did).

568

569 *(Discussion by the Board on ‘standardizing’ signs that are more frequently being allowed by the*
570 *Board. The contractor stated that they have been obtaining their signage from Office Max. The*
571 *cost is around \$18.00 to \$25.00 and are around 7” x 10” or 8” x 10” in a plexiglass or plastic.*
572 *They engrave it and can make it any color of your choice. The Board asked Staff to provide*
573 *examples of what petitioners are providing for these approved signs).*

574

575 R. Hart – Does the egress window clear the line of the beam? (Yes. That was one reason for
576 that area as it won’t cause any type of structural issue and is well enough away from the beam).

577

578 The Board and the Petitioner also discussed a sign on the wall which should indicate “Egress
579 window this direction (with a directional arrow)”. The petitioner stated that the storage room
580 door will have a closet knob that has no lock on it.

581 **Discussion**

582

583 **MOTION**

584

585 Moved by R. Reik, Seconded by S. Callan, “In the matter of 2008-B-028, 1702 Covington
586 Drive, that the Board grant a variance from Section R305.1 of the 2003 Michigan
587 Residential Code, to allow a ceiling height in the basement of 6 feet, 10 inches and a
588 soffit height under the ductwork of the basement of 6 feet, 4 inches. A permanently
589 attached sign will be mounted on the door to the storage room (which will provide access
590 to the egress window) that states that the **“Egress window is beyond this entry/exit point
591 and no lock can be installed on this door.”** A fully automatic, building-wide smoke
592 detection system shall be installed to the satisfaction of the Fire Marshal as a condition
593 of this variance. We find this to be equivalent to what the Code requires.”

594

595 **On a Voice Vote – MOTION TO APPROVE – UNANIMOUS (Variances Granted)**

596

597

598 **E - NEW BUSINESS – None.**

599

600 **F - REPORTS & COMMUNICATIONS**

601

602 S. Callan – Asked staff about the status of 800 North Main Street.

603

604 A. Savoni – Stated that he is still waiting for information from the City Attorney’s office to decide
605 how to notify the owner that Board voted to demolish his property.

606

607 **G - AUDIENCE PARTICIPATION – GENERAL – None.**

608

609 **ADJOURNMENT**

610

611 The meeting was adjourned without opposition at 3:29 p.m.

612

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