



PLAN SNAPSHOT REPORT BBA25-0001 FOR THE CITY OF ANN ARBOR

Plan Type: Building Board of Appeals
Project:
App Date: 01/08/2025

Work Class: Administrative Appeal
District: Ward 1
Exp Date: NOT AVAILABLE

Status: Fees Paid
Square Feet: 0.00
Completed: NOT COMPLETED

Valuation: \$0.00
Assigned To: Lemieux, Michael
Approval Expire Date:

Description: This letter is submitted to request reconsideration of the interpretation regarding compliance with Section 1030.3 of the 2015 Michigan Building Code (MBC) as applied to Permit Number BLDGC24-0524.

The project is located in a historic district where alterations to windows are prohibited, making adherence to the 44-inch requirement critical without modifying historic features.

Parcel: 09-09-28-206-008	Main	Address: 200 N State St Ann Arbor, MI 48104	Main	Zone: R4C(R4C)
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Applicant
Scott Klaassen
2100 S Main St A10
Ann Arbor, MI 48103
Business: (734) 677-2222

Plan Custom Fields

Type of Building	Commercial	New Building	No	Addition	No
Building Use	Residential multi unit	Alteration	Yes	No. of Floors	3
Repair	No	Construction Type	5B	Area/Floor	11624
No. of Occupants	26	BBAStatementofFacts ndReasoningMemo	Section 1030.3 specifies that the bottom of a clear opening must be no more than 44 inches above the "floor." While the term "floor" is undefined in the code, it is commonly understood to include any walking surface intended for regular use, such as landings, which are integral to the egress system. Section 1010.1.6 of the MBC recognizes landings as critical walking surfaces, underscoring their functional equivalence to floors for safety and accessibility.		
			The intent of Section 1030.3 is to ensure emergency escape openings are accessible. Measuring from a landing fulfills this purpose by providing a safe, stable platform while adhering to the code's objectives. Moreover, precedents from the City of Ann Arbor, other jurisdictions and practical design flexibility support		
			interpreting landings as the "floor" for compliance with Section 1030.3.		

PLAN SNAPSHOT REPORT (BBA25-0001)

BBA Desired Relief Memo	While Section 104.1 grants the AHJ discretion in code interpretation, this authority should align with the MBC's intent to prioritize safety and practicality. I respectfully request the Building Department to reconsider its stance and permit the use of landings as the "floor" for compliance with the 44-inch height requirement in Section 1030.3, ensuring alignment with the code's text, intent, and purpose while preserving the historic integrity of the property.	BBA Basis of Appeal Memo	The rigid interpretation by the Ann Arbor Building Department requiring measurement from the overall floor plate introduces unnecessary limitations, is inconsistent with the purpose of the code, and poses challenges for historic district compliance where window alterations are restricted.	Basis of Appeal	True intent has been incorrectly interpreted
Historic District	Old Fourth Ward Historic District	Floodplain	No		

Attachment File Name	Added On	Added By	Attachment Group	Notes
Building Board of Appeals Letter - Permit Number_ BLDGC24-0524 [200 N State].pdf	01/08/2025 12:49	Klaassen, Scott		Supporting Materials
Egress Precedence Example.pdf	01/08/2025 12:49	Klaassen, Scott		Supporting Materials
200 N State - Board of Appeals Submission .pdf	01/14/2025 14:44	Klaassen, Scott		Supporting Materials
BBA25-0001 200 N. State .docx	02/12/2025 8:48	Lemieux, Michael	Internal Only (Back Office)	staff report
BBA25-0001 200 N. State .pdf	02/12/2025 8:49	Lemieux, Michael	Available Online (Contacts Only)	Staff report

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00134609	BBA - Commercial Appeal	\$500.00	\$500.00
Total for Invoice INV-00134609		\$500.00	\$500.00
Grand Total for Plan		\$500.00	\$500.00

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Application Completeness - BBA Board of Appeals v.1	In Review	01/08/2025	01/09/2025		No	No

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Application Completeness Check - BBA Board of Appeals	Community Services	Harvey, Juliet	Approved	01/08/2025	01/08/2025	02/13/2025

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Application Completeness Check - Board of Appeals	Community Services	Williams, Debra	In Review	01/08/2025	01/09/2025	

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Plan Review [Building Board of Appeals] v.1	Approved	01/08/2025	01/23/2025	02/05/2025	No	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Building Board of Appeal Review	Building	Lemieux, Michael	Approved	01/08/2025	01/23/2025	02/05/2025

Workflow Step / Action Name	Action Type	Start Date	End Date
Application Completeness Check v.1			

PLAN SNAPSHOT REPORT (BBA25-0001)

Application Completeness - BBA Board of Appeals v.1	Receive Submittal	01/08/2025 0:00	
Plan Review v.1			02/05/2025 9:42
Plan Review [Building Board of Appeals] v.1	Receive Submittal	01/08/2025 0:00	02/05/2025 9:42
Appeals Approval Process v.1		02/12/2025 8:49	
Board of Appeals Case for Processing v.1	Task		
Staff Report Created and Attached v.1	Generic Action		02/12/2025 8:49
Notification to Tenants v.1	Generic Action		
Staff Report Submitted to Legistar v.1	Generic Action		
Building Board of Appeals Decision v.1	Generic Action		
Decision Letter Created and Attached v.1	Generic Action		
Minutes Created and Published v.1	Generic Action		

Done Rite Contracting

2100 S Main St Suite A10

Ann Arbor, MI 48103

January 8th, 2025

City of Ann Arbor Building Department

301 E Huron St

Ann Arbor, MI 48104

RE: Request for Interpretation Regarding Permit Number BLDGC24-0524

Dear Building Department,

This letter is submitted to request reconsideration of the interpretation regarding compliance with Section 1030.3 of the 2015 Michigan Building Code (MBC) as applied to Permit Number BLDGC24-0524. The project is located in a historic district where alterations to windows are prohibited, making adherence to the 44-inch requirement critical without modifying historic features.

Section 1030.3 specifies that the bottom of a clear opening must be no more than 44 inches above the "floor." While the term "floor" is undefined in the code, it is commonly understood to include any walking surface intended for regular use, such as landings, which are integral to the egress system. Section 1010.1.6 of the MBC recognizes landings as critical walking surfaces, underscoring their functional equivalence to floors for safety and accessibility.

The intent of Section 1030.3 is to ensure emergency escape openings are accessible. Measuring from a landing fulfills this purpose by providing a safe, stable platform while adhering to the code's objectives. Moreover, precedents from the City of Ann Arbor, other jurisdictions and practical design flexibility support interpreting landings as the "floor" for compliance with Section 1030.3.

While Section 104.1 grants the AHJ discretion in code interpretation, this authority should align with the MBC's intent to prioritize safety and practicality. The rigid interpretation by the Ann Arbor Building Department requiring measurement from the overall floor plate introduces unnecessary limitations, is inconsistent with the purpose of the code, and poses challenges for historic district compliance where window alterations are restricted.

I respectfully request the Building Department to reconsider its stance and permit the use of landings as the "floor" for compliance with the 44-inch height requirement in Section 1030.3, ensuring alignment with the code's text, intent, and purpose while preserving the historic integrity of the property.

Thank you for your time and consideration. Please find attached relevant examples and supporting documentation for reference.

Sincerely,
Scott Klaassen

Attachments: Supporting documentation provides approved examples of landing precedence



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Ann Arbor, MI 48103
(734) 216-2109

To counter the building department's interpretation of the 2015 Michigan Building Code (MBC) Section 1030.3, an argument can be structured based on the following points:

Textual Analysis of the Code

- Section 1030.3 of the 2015 MBC specifies that the bottom of the clear opening must be no more than 44 inches above the floor. However, the code does not explicitly define the term "floor" in this context.
 - The term "floor" is commonly understood in building codes to refer to any walking surface that is intended for regular use. A landing is a flat, horizontal surface designed as part of the building's means of egress, and it serves as an integral part of the floor system for practical and safety purposes.
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Landings as Part of the Egress System

- The MBC consistently considers landings as critical components of the means of egress. For example:
 - **Section 1010.1.6** states that landings are required at the top and bottom of ramps and stairs, emphasizing their role as walking surfaces.
 - Since landings are designed to provide a safe, flat transition, they should logically be interpreted as the "floor" for purposes of measuring compliance with Section 1030.3. This ensures consistency with the intent of the code to allow safe access to emergency exits.
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Purpose and Intent of Section 1030.3

- The intent of the 44-inch height limit in Section 1030.3 is to ensure the clear opening of emergency escape and rescue openings is accessible without the need for excessive climbing.
 - A landing directly beneath the clear opening serves this intent, as it provides a stable and safe platform from which to access the opening. This satisfies the purpose of the code provision.
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Practical Application and Precedent

- In numerous jurisdictions, landings are accepted as the "floor" for the purposes of measuring compliance with Section 1030.3. This interpretation is supported by:
 - The functionality of landings as part of the egress system.
 - The practical need for design flexibility in situations where strict adherence to the "overall floor plate" interpretation is unnecessary and overly restrictive.
-

Authority of the AHJ under Section 104.1

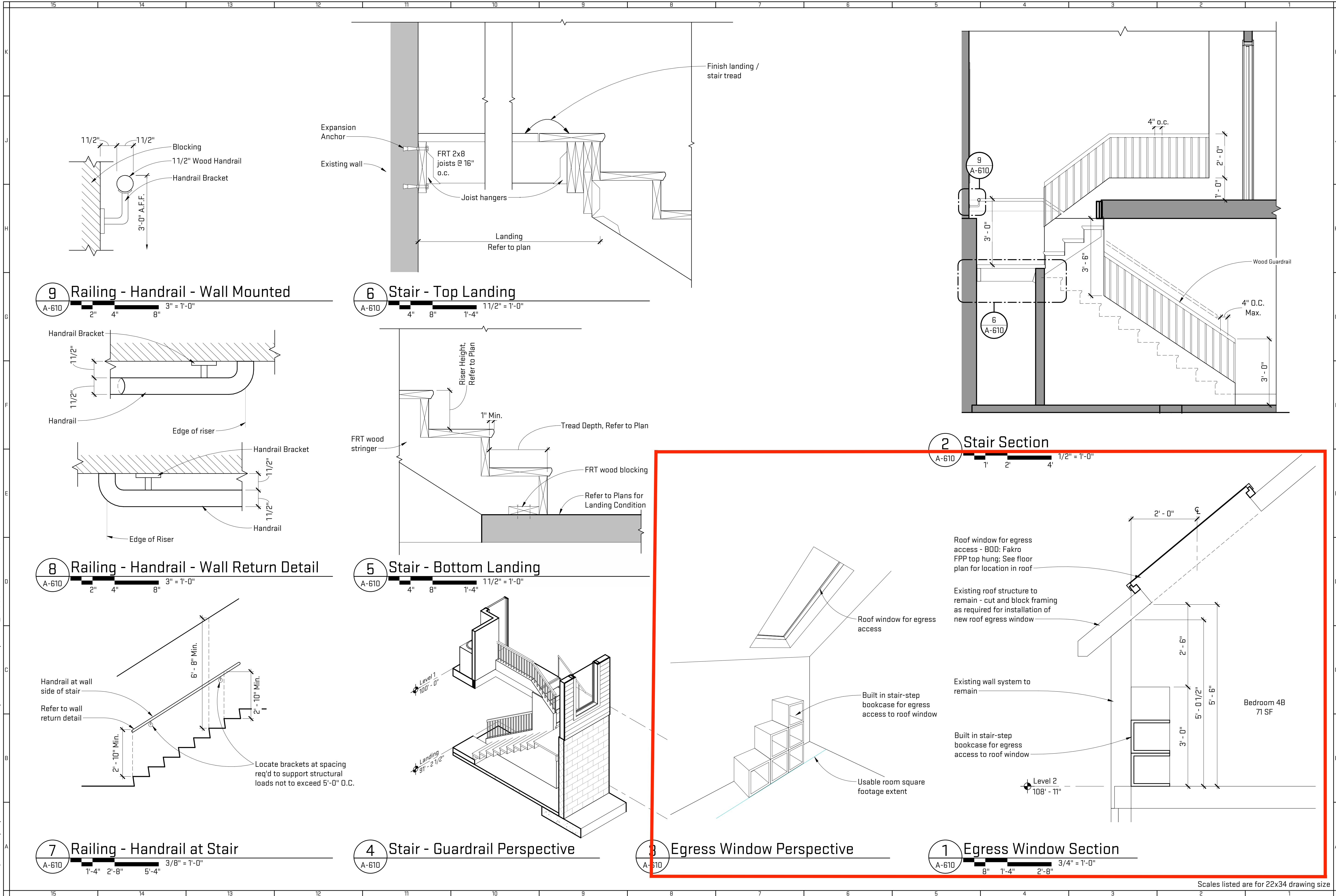
- Section 104.1 of the 2015 MBC grants the AHJ discretion in interpreting the code when issues are not explicitly provided for.
 - However, this discretion must align with the overall intent and purpose of the code, which prioritizes safety, accessibility, and functionality. By interpreting the landing as the "floor" for compliance with Section 1030.3, the AHJ would support the intent of the code while ensuring practicality in design.
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Conclusion

The landing should be considered the "floor" for purposes of measuring compliance with the 44-inch height requirement in Section 1030.3. This interpretation aligns with the text, intent, and purpose of the MBC and ensures both safety and design feasibility. The building department's interpretation requiring measurement from the "overall floor plate" introduces unnecessary rigidity, is inconsistent with the role of landings in the means of egress system, and does not reflect the practical intent of the code.

It is respectfully requested that the AHJ reconsider this interpretation to allow the use of landings to meet the 44-inch height requirement in Section 1030.3.

Plot Date/Time: 5/23/2023 10:59:31 AM File Path: C:\Revit Local Files\MAD22_ewubherhust@oxstudioinc.com.rvt





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Job Title:	
309 E. Madison Addition & Interior Renovation	309 E. Madison St. Ann Arbor, MI 48104
Sheet Title:	
Miscellaneous Details	Released For: Building Permit
05/22/2023	
JON-MAD22	
A-610	