

A meeting of the Building Code Board of Appeals was called to order at 8:30 a.m. on Wednesday, March 1, 1989 by the Chairman, Ted Dziurman.

Present: Ted Dziurman
James Halsey
Keith Krinn
Don Spurr
Gerald VandenBussche

ITEM #1. Approval of Minutes - February 1, 1989

Motion by Halsey
Supported by Krinn

MOVED, to approve the February 1, 1989 minutes.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO APPROVE CARRIED.

ITEM #2. Murray Hozman, 340 W. Fourteen Mile Road, for relief of
Section F-403 of the BOCA Existing Structure Code.

Mr. VandenBussche explained that this item is a review of a variance in which the petitioner was granted relief of the requirement for additional sprinkler systems in an area that he constructed for lighting fixtures and display shelving. This relief was granted in January of 1988 for a period of six months and the petitioner indicated at that time, he would be moving into a new tenant area. When this was heard again in July, 1988, he indicated that he had not obtained occupancy of the new tenant area as yet and he would expect that he would be in the new store by March 1, 1989. On February 20th we received a phone call from Mr. Hozman's Office that he would no longer require the variance. Alterations are presently being made and the space will now comply. We should get a letter confirming this before the meeting date.

Because the tenant space has been removed and the variance is no longer needed, the board took no action on this request.

ITEM #3. Philip A. Yaccarino, 100 W. Lovell, for relief of Chapter 79,
Section M-810.1.3 of the Troy City Code.

Mr. VandenBussche explained that the petitioner is requesting a permit to maintain two air conditioning condenser units in a side yard, on the west side of the residence, approximately 5 feet from the side lot line. The City Code does not permit air conditioner units to be located in a required side yard.

Philip Yaccarino was present and stated that their contractor installed the units, indicating to them, that he had the proper permits and the variance required to locate the units in the side yard. The petitioner stated that because of large trees and landscaping at the rear of the house, they cannot place the unit in the rear. Their neighbor has indicated that he has no objection to the placement and they will screen the units with shrubs.

The chairman opened the public hearing.

There were no comments from the audience.

The chairman closed the public hearing.

Motion by VandenBussche
Supported by Krinn

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ITEM #3.

MOVED, to grant Philip Yaccarino, 100 W. Lovell a variance for relief of Chapter 79, Section M-810.1.3 of the Troy City Code to maintain two air conditioning condenser units in the side yard setback (west side).

1. The petitioner has indicated that the units will be screened by shrubs.
2. The closest or most affected neighbor has no objection and there is a substantial distance between the two homes.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO APPROVE REQUEST CARRIED.

ITEM #4. Richard T. Sahlin, 770 W. Maple Road, for relief of Section F-403 of the Fire Prevention Code.

Mr. VandenBussche explained that the petitioner is requesting relief of a requirement for sprinkler protection in storage areas and certain office areas of a building at 770 W. Maple. The petitioner was cited for the lack of sprinkler protection in these areas and he is now appealing this citation. Mr. VandenBussche further explained that the petitioner has written the Building Department a letter requesting tabling action in that he has a conflict in his schedule and cannot attend the meeting.

Motion by Halsey
Supported by Spurr

MOVED, to table the request of Richard T. Sahlin, 770 W. Maple Road, for relief of Section F-403 of the Fire Prevention Code until the next regular meeting (April 5, 1989) as requested by the petitioner.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO TABLE UNTIL NEXT REGULAR MEETING (April 5, 1989) CARRIED.

ITEM #5. Carolyn Czapla, 1868 Castleton, for relief of Chapter 79, Section M-810.1.3 of the Troy City Code.

The petitioner was not present.

The chairman moved this request to the end of the agenda (Item #8) to allow the petitioner the opportunity to be present.

ITEM #6. Kirco Realty, 201 W. Big Beaver, for relief of Article 8 of the 1987 B.O.C.A. National Code.

Mr. VandenBussche explained that the petitioner is requesting permission to lock an elevator lobby on the 8th and 9th floors. The plans indicate that the elevator lobby has double doors at each end for access to the stairwell exit ways and to tenants on these two floors. The petitioner is requesting that he be allowed to lock these doors at all times. This type of restriction would violate Article 8 (means of egress) in the B.O.C.A. Code. The petitioner indicates that these doors will be locked with an electro-magnet that would automatically unlock in case of a fire emergency and they also propose to place an emergency telephone in this lobby area in case someone were trapped there.

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ITEM #6

Robert Bednas, Graham Dickens, Nicola Petrella and Lanette Mesztakowski and Holly Kunich were present to represent the petitioner. Mr. Bednas indicated that through their checking, they feel that they have met the intent of the code. They also stated that the single tenant for this area has concerns about security and desire to have their tenant area secured from the elevator lobby during non-business hours. The doors that will be placed at each end of the elevator lobby will be equipped with electro-magnetic locks which will be tied into their fire management system. Thus in the case of an emergency the locks would automatically release and the lobbies would be accessible to the stairs. They also propose to install a 24-hour emergency telephone in the lobbies. The petitioners also stated that the Fire Marshal has agreed that he has no real problem with their proposal. The petitioner also stated that the elevator system was programed to lock out those two floors during non-office hours.

Motion by Halsey
Supported by Spurr

MOVED, to grant Kirco Realty, 201 W. Big Beaver Road, a variance, as requested, for relief of Article 8 of the 1987 B.O.C.A. National Code to lock the elevator lobbies on the 8th and 9th floors, based on the following.

1. Based on the installation of the electro-magnetic locks, which will be tied into the fire suppression system.
2. That the petitioner provide a 24 hour emergency telephone in the elevator lobby areas on the 8th and 9th floors.
3. That the elevator be programed not to stop on the 8th and 9th floors after hours.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO APPROVE REQUEST CARRIED.

ITEM #7. Robert Nold, 2600 W. Big Beaver Road, for relief of Section 1017.4.1 of the 1987 B.O.C.A. National Code. (pull station height).

Mr. VandenBussche explained that the petitioner is requesting permission to maintain pull stations that have the handle installed at approximately 3'2" from the floor. The Building Code requires that a pull station alarm must be located not less than 3'6" and not more than 5 feet above the floor level. This dimension would be to the actual handle of the pull station. Their proposal is to maintain the handle at approximately 4 inches below the minimum height designated in the code.

Robert Nold of Barton Malow was present and stated that they have a practical difficulty in that the walls where the pull stations have been installed are Granite panels which were pre-cut prior to shipping. It appears that they were aligned with the door handles. Apparently there was an error in the bid pack drawings. They feel that the safety is not affected because they are only 4 inches lower and within reach of an average person. Because of all the work that has been put into the aesthetics of the hallways, it would be a major problem to change the panels. The ceiling would have to be removed to remove the panels and new panels ordered. They feel that because it does not pose a safety problem and it would be an extreme under-taking to change the handle 4 inches.

Motion by VandenBussche
Supported by Halsey

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ITEM #7.

MOVED, to grant Robert Nold, 2600 W. Big Beaver Road (Standard Federal), a variance as requested for relief to maintain pull stations with the handles installed approximately 3'2" from the floor where not less than 3'6" nor more than 5 feet above the floor is required by the Code.

1. The protection provided is equal to the need and the minor adjustment to the location does not appear to be a problem.
2. The building is well monitored.
3. To require the relocation does not justify the preponderance of damage to the building. (Granite panels)

Yeas: 5
Nays: 0
Absent: 0

MOTION TO APPROVE REQUEST CARRIED. - Request "Granite"

ITEM #8. Carolyn Czapla, 1868 Castleton, for relief of Chapter 79,
Section M-810.1.3 of the Troy City Code.

Mr. VandenBussche explained that the petitioner is requesting permission to place an air conditioning condenser unit in a side yard on the north side of the residence, approximately 5.3 feet from the side lot line. The City Code does not allow air conditioner units to be located within 10 feet of the side lot line or in a required side yard.

Carolyn Czapala was present and stated that whether she locates the unit in the rear or side yard it would be the same distance from the nearest or most affected neighbor, which would be approximately 35 feet. The unit makes less noise than the unit presently in the window on the same side of her home. The location proposed is to keep the pipe run shorter, which makes the unit more efficient. Mrs. Czapala also stated that she would screen the unit by planting shrubs.

The chairman opened the public hearing.

There were no comments from the audience.

The chairman closed the public hearing.

There were 2 letters of approval on file: Mr & Mrs. D. Oleskie, 1811 Castleton and Thomas A. Hallock, Jr, 1871 Castleton.

There was 1 letter of objection on file: Jean Schultz, 2752 Chesterfield.

Motion by Spurr
Supported by Krinn

MOVED, to grant Carolyn Czapla, 1868 Castleton, a variance, as requested, for relief of Section M-810.1.3 of the Troy City Code, to place an air conditioner condenser unit in the side yard, 5.3 feet from the side (north) lot line, based on the following:

1. The distance to the home to the north is more than twice the normal side yard distance to an air conditioning unit.
2. Shrubbery, to screen the unit, will be planted.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO APPROVE REQUEST CARRIED.

The Building Code Board of Appeals meeting adjourned at 9:03 a.m.

GV/ddb

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