

A meeting of the Building Code Board of Appeals was called to order at 8:30 a.m. on Wednesday, March 6, 1985 by the Chairman, Ted Dziurman.

PRESENT: Ted Dziurman, Chairman  
Larry Harris  
Richard Sinclair  
Don Spurr  
Gerald VandenBussche

ITEM #1. Approval of February 6, 1985 minutes

Motion by Spurr  
Supported by Sinclair

MOVED, to approve the February 6, 1985 minutes as presented.

Ayes: 5  
Nays: 0  
Absent: 0

MOTION TO APPROVE CARRIED

ITEM #2. Kim Glander, 2390 Vermont, for relief of the One and Two-Family Dwelling Code.

Mr. VandenBussche explained that the petitioner is requesting permission to maintain a second kitchen, which is located in the basement. The Plumbing Inspector has concerns regarding this kitchen, as to whether this would interpret the building as being capable as accomodating more than one family. This item was tabled at the last regular meeting to determine if the second kitchen would constitute a second family in a home and it has been determined that the kitchen alone would not constitute a second dwelling. There would have to be a sleeping area and living room areas that would be in conjunction with the kitchen that would be layed out in a manner conducive to a second dwelling unit. In all probability, if a problem exists regarding two families living in a single residence, it would be more in regard to the zoning than it would be to the Building Code Board of Appeals. If a violation does exist or a violation occurs, of this nature, it should be handled by the zoning requirements of the City. Mr. VandenBussche further stated that the site will be referred to the Housing and Zoning Inspector for action, if necessary.

Motion by Spurr  
Supported by VandenBussche

MOVED, to refer the question of Kim Glander, 2390 Vermont, in regard to a second kitchen in the basement to the Zoning Inspector for action if necessary.

Ayes: 5  
Nays: 0  
Absent: 0

MOTION PASSED.

ITEM #3. Joe Bartoletti & Mat Vivona, 3780 Rochester Road, for relief of the 1984 B.O.C.A. Code, Section 1702.14.

Mr. VandenBussche explained that the petitioner is requesting permission to maintain a mezzanine storage area in a commercial building that will not be protected by a sprinkler system. The B.O.C.A. Code under Article 17 requires that all areas of this nature be protected by a suppression system. Mr. VandenBussche further indicated that the architect, Robert Serota called him and stated that although the mezzanine was not on the original plans it was noncombustible and there would be no combustibile storage.

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## ITEM #3.

Joe Bartoletti was present stated that they did add the mezzanine as the building was being constructed. They have used noncombustible material on the mezzanine decking. They realized during the course of construction that the area in question could be utilized as a storage area and they needed additional storage. The mezzanine storage is used for the storage of noncombustible construction materials, such as - garage doors, pool filters, insulation etc. They cannot sprinkler the area because it is unheated and the sprinkler lines would freeze. He indicated that they were considering looking at a dry fire protection system but have not, as yet.

Motion by VandenBussche  
Supported by Sinclair

MOVED, to deny Joe Bartoletti & Mat Vivona, 3780 Rochester Road relief of the B.O.C.A. Code, Section 1702.14, based on the fact that the code is very specific on their requirements and that the area needs fire protection.

Ayes: 5  
Nays: 0  
Absent: 0

MOTION TO DENY REQUEST CARRIED.

ITEM #4. Thomas Weiss, 1664 Poplar, for relief of the Troy City Code, Chapter 79, Section 810.1.3.

Mr. VandenBussche explained that the petitioner is requesting permission to locate an air conditioning condenser unit in a required side yard setback. The site plan shows that the condensing unit will be located approximately 9'6" from the side property line. The City Code under Chapter 79 does not allow air conditioner condenser units to be placed within 10 foot of a side property line.

Thomas Weiss was present and stated that the proposed location is the only feasible location. He plans to erect a patio at the rear of the house and if the condenser unit were placed there it would interfere with the patio plans. The unit is only encroaching 4 inches, he has an approval letter from the neighbor on that side, the unit is partially obscured from the street by the chimney and would be 40 feet plus from the neighbors house. Also that is the driveway and garage side of the neighbor's home.

The chairman opened the public hearing.

There were no comments from the audience.

The chairman closed the public hearing.

There were two letters of approval on file: Richard Murphy, 6782 Mountain and Douglas and Karen Goimarac, 1682 Poplar.

There was one letter of objection: Mr. & Mrs. Richard K. Griffin, 6750 Mountain.

Motion by Spurr  
Supported by Sinclair

MOVED, to grant Thomas Weiss, 1664 Poplar, relief as requested, to locate an air conditioning condenser unit 9'6" from the side lot line, based on the fact that the encroachment is minimal and with the stipulation that the unit be screened by shrubbery.

Ayes: 5  
Nays: 0  
Absent: 0

MOTION TO APPROVE CARRIED.

The Building Code Board of Appeals Meeting adjourned at 8:50 a.m.