

A meeting of the Building Code Board of Appeals was called to order at 8:30 a.m. on Wednesday, December 5, 1984 by the acting chairman Don Spurr.

PRESENT: Don Spurr
Gerald VandenBussche
Richard Sinclair
Larry Harris

ABSENT: Ted Dziurman

APPROVAL OF MINUTES: September 26, 1984 and November 7, 1984

Motion by VandenBussche
Supported by Harris

MOVED, to approve the September 26, 1984 and November 7, 1984 minutes as submitted.

Ayes: 4
Nays: 0
Absent: 1 (Dziurman)

MOTION TO APPROVE CARRIED.

ITEM #1. Kenmore Properties, 1400 Stephenson Hwy., for relief of the B.O.C.A. Code, Article 631.1.4. and the National Electrical Code, Article 700.

Mr. VandenBussche explained that the petitioner is requesting permission to construct an office building which will not have a stand-by electrical generator. The B.O.C.A. Code under Article 631 sets forth requirements for emergency electrical power to provide smoke control and refers to Article 700 of the National Electrical Code for the source. Article 700 requires that emergency electrical power be supplied by the installation of a stand-by electrical generator. The petitioner has indicated that in lieu of this stand-by generator, they propose to sprinkle the entire building even though the code does not require it. This item was tabled at the last regular meeting to allow the petitioner to be present.

Michael Damone and Don Templin were present. Mr. Damone stated, to the board, that they propose to sprinkle the entire building in lieu of the electrical generator even though the code would not require this building to be sprinklered. It is their feeling that the sprinkler system would provide a greater degree of safety to the building occupants. All electrical lines to the building from the pole line will be located in underground conduit. Therefore, the probability that electrical service to the building being interrupted during a fire emergency is very remote.

Motion by Sinclair
Supported by Harris

MOVED, to grant Kenmore Properties, 1400 Stephenson Hwy., relief to sprinkle the entire building in lieu of a stand-by electrical generator.

1. The system far out weighs the emergency generator.

Ayes: 4
Nays: 0
Absent: 1 (Dziurman)

MOTION TO APPROVE CARRIED.

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ITEM #2. Seymour Mandell, 1198 Souter, for relief of the B.O.C.A. Code, Article 17 and Article 3.

Dixon Hall, the builder for Mr. Mandell, was present and requested that this item be taken as item #6 to give Mr. Mandell the opportunity to be present.

The board agreed that the item be tabled until the end of the agenda (Item #6)

ITEM #3. Ron Lowy, 1740 W. Big Beaver Road, for relief of the B.O.C.A. Code.

Mr. VandenBussche explained that the petitioner has submitted revised plans which meet the requirements of the code and therefore this item has been withdrawn from the agenda and no action is necessary.

ITEM #4. Architectural Design Consultants, 582 W. Fourteen Mile Road, (Elias Brothers Big Boy, Oakland Mall), for relief of the B.O.C.A. Plumbing Code, Article 12.

Mr. VandenBussche explained that the petitioner is requesting a permit to construct an addition to an existing Big Boy Restaurant. The restaurant is located in Oakland Mall and does not provide adequate plumbing facilities for their use (assembly). The petitioner is requesting relief of the requirement for plumbing facilities based on the fact that there are adequate public restrooms across an existing corridor from this restaurant. The Plumbing Code under Article 12, does allow restroom facilities apart from a mercantile store, but this is not true in the case of a place of assembly. Places of assembly must provide their own restrooms.

Gabe Kaffad, President of Elias Brothers and John Ferguson, Construction Coordinator were present. Mr. Kaffad stated to the board that their addition was for an atrium such as you see on most Big Boys. The area they have for expansion is very limited and they would not have adequate room for their addition if they must install the restrooms. They do have two employee restrooms in their restaurant that are accessible to the public and are sometimes used by the handicapped and by small children. They have found that they really do not have a demand for use of their restrooms because of the availability of the restrooms across the corridor in the mall.

Motion by Harris
Supported by Sinclair

MOVED, to grant Architectural Design Consultants, a variance for relief of the required restrooms, as presented, for the Elias Brothers Big Boy, 582 W. Fourteen Mile Road (Oakland Mall) with the provision that they make available the barrier-free restrooms existing within their restaurant.

Ayes: 3
Nays: 1 (VandenBussche)
Absent: 1 (Dziurman)

MOTION TO APPROVE VARIANCE CARRIED.

ITEM #5. J. Wolf Architects, for Red Cross Shoes, 674 W. Fourteen Mile (Oakland Mall), for relief of the B.O.C.A. Code, Article 8.

Mr. VandenBussche explained that the petitioner is requesting a permit to construct a mezzanine and the plans indicate that the access to the mezzanine will be by a stairway that will have a riser dimension of 8 inches and a tread dimension of 9 inches. The B.O.C.A. Code under section 816 requires that the maximum riser can be no more than 7 inches and the minimum tread can be no less than 11 inches. It is the petitioners contention that since the stairs are limited to only employees use, this should not present a hazard as it would be similar to a normal residential use in regards to rise and run of a stairway.

ITEM #5.

Joseph Wolf, architect, was present and stated that the stairway was a required second means of exiting from the mezzanine storage area. The stairway does come down into the sales area and the room for this tenant area is very limited. The stairs will meet the requirements for enclosure and fire protection. Their stairway in the rear does meet the code for riser and tread. The proposed stairway and the existing stairway will be used by employees only, who are familiar with the riser and tread size and it is similar to the riser and tread size found in residential construction. It is also their understanding that the 1984 code is being changed to be less stringent on stairways.

Motion by VandenBussche
Supported by Sinclair

MOVED, to grant Joseph Wolf Architects a variance, as requested, to Red Cross Shoes, 674 W. Fourteen Mile Road (Oakland Mall) for relief of the maximum riser and minimum tread dimensions. A riser dimension of 8 inches where 7 inches is the minimum and a tread dimension of 9 inches where a minimum of 11 inches is required.

1. The stairs is no more restrictive than residential use.
2. The 1984 Code which is in the process of being adopted will be less stringent on the stairway requirements and the proposed stairs will be in compliance with the code.

Ayes: 4
Nays: 0
Absent: 1 (Dziurman)

MOTION TO APPROVE CARRIED.

ITEM #6. (Item #2) Seymour Mandell, 1198 Souter, for relief of the B.O.C.A. Building Code, Article 17 and Article 3.

Dixon Hall was present and indicated to the board that possibly a tabling action would be in order since Mr. Mandell had not arrived and he felt Mr. Mandell was more familiar with the variance and could better present their case. Also it would give Mr. Mandell the opportunity to present the appropriate plan for the site in question.

Motion by VandenBussche
Supported by Sinclair

MOVED, to table the request of Seymour Mandell, 1198 Souter for relief of the B.O.C.A. Building Code, Article 17 and Article 3 until the next regular meeting (January 9, 1985) to give the petitioner the benefit of the architect's presence and the opportunity to present the proper plans including a site plan showing the density of the site.

Ayes: 4
Nays: 0
Absent: 1 (Dziurman)

MOTION TO TABLE UNTIL THE NEXT REGULAR MEETING (January 9, 1985) CARRIED.

The meeting was adjourned at 9:10 a.m.

9/17

