

A meeting of the Building Code Board of Appeals was called to order at 8:30 a.m. on Wednesday, November 7, 1984 by the Chairman, Ted Dziurman.

PRESENT: Ted Dziurman, Chairman  
Larry Harris  
Don Spurr  
Gerald VandenBussche  
James Halsey

ITEM #1. Approval of Minutes - September 26, 1984

Motion by Halsey  
Supported by VandenBussche

MOVED, to table the approval of September 26, 1984 minutes until the next regular meeting (December 5, 1984).

Ayes: 5  
Nays: 0  
Absent: 0

MOTION TO TABLE CARRIED.

ITEM #2. Ronald Katz, 2461 Avalon, for relief of the Troy City Code Chapter 79.

Mr. VandenBussche explained that the petitioner is requesting permission to locate a heat pump in the required side yard of a residential zoning district. The Troy City Code under Chapter 79, does not permit this type of installation to be located within 10 feet of a side yard or in the required side yard setback. The petitioner has indicated that he will submit letters of approval from the neighbors most affected by this installation. This item was tabled at the last regular meeting to give the petitioner the opportunity to prepare a site plan showing the location of the heat pump in relation to the lot line and the distance between their home and the neighbor's home. Mr. VandenBussche also indicated that the petitioner has indicated that they do have problems in scheduling their attendance at the board meetings.

The petitioner was not present.

Motion by VandenBussche  
Supported by Spurr

MOVED, to grant Ronald Katz, 2461 Avalon a variance for relief to locate a heat pump in their required side yard setback.

1. An inspection of the site revealed that there is sufficient landscaping to screen the unit from the side and front.
2. The adjacent and most affected neighbor had submitted a letter indicating they have no objections to the installation.
3. The unit is not detrimental to the area and in order for the heat pump to operate the equipment it must be at that location.

Ayes: 5  
Nays: 0  
Absent: 0

Motion TO APPROVE CARRIED.

ITEM #3. 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.

The petitioner was not present.

Motion by VandenBussche  
Supported by Harris

MOVED, to table this item until the end of the agenda (Item #6) to give the petitioner the opportunity to be present.

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## ITEM #3.

Ayes: 5  
Nays: 0  
Absent: 0

MOTION TO TABLE UNTIL END OF AGENDA (Item #6) CARRIED.

ITEM #4. Ganto's Inc., 462 W. Fourteen Mile Road (Oakland Mall), for relief of Table 401 of the 1981 B.O.C.A. Code.

Mr. VandenBussche explained that the petitioner is requesting a permit to construct an additional mezzanine and the plans indicate that the structural elements in floor construction will be wood framing. The petitioner indicates that this wood framing would be noncombustible but the B.O.C.A. Code under Table 401 does not allow any type of wood to be incorporated in floor construction of a building of this size and use. This tenant space presently has a mezzanine that has wood in its floor construction that was constructed prior to this requirement.

Mark Bowman was present to represent Ganto's and stated that the mezzanine was for storage purposes only. They feel that the noncombustible wood is more effective than metal or steel and will protect longer than the metal or steel framing. They do presently have wood which was installed before the present code and hope to match the construction to keep it all the same. They need additional storage space and the mall cannot provide them with additional space. They presently have 43 other stores with this type of mezzanine and have had no problems. The area above and below is sprinklered to provide fire protection.

Motion by Halsey  
Supported by VandenBussche

MOVED, to grant Ganto's, 462 W. Fourteen Mile Road (Oakland Mall) a variance for relief of Table 401, 1981 B.O.C.A. Code to erect a mezzanine of noncombustible wood.

1. Wood used in construction must be noncombustible.
2. The top and bottom of the mezzanine area be protected by sprinklers.
3. That the separating wall on the second floor level be cut back in the area of the office to provide clear vision in accordance with an inspection and an on-site approval by the Fire Marshal.

Ayes: 5  
Nays: 0  
Absent: 0

MOTION TO APPROVE CARRIED.

ITEM #5. Phillips Shoes, 674 W. Fourteen Mile Road (Oakland Mall), for relief of the B.O.C.A. Code, Article 8 and Table 401.

Mr. VandenBussche stated that the petitioner is requesting a permit to construct a second floor addition to a tenant space in the Oakland Mall. Their plans indicate only one exitway from this second floor and it is not protected to an area of refuge. The plans also indicate that the floor will be covered by 3/4" noncombustible wood covering. The B.O.C.A. under Article 8 requires that all second floor areas be serviced by two completely enclosed stairways that lead directly outside or to an area of refuge. Table 401 of the B.O.C.A. Code requires that the floor construction be noncombustible and wood is not permitted even though it is noncombustible. The floor must be either steel or concrete.

Joseph Wolf the architect and Frank Russo, the superintendent for Phillips Shoes were present. Mr. Wolf indicated, to the board, that the proposed expansion was to give them needed sales area on the first floor and additional stocking area on the second floor. They feel that the noncombustible wood will afford the same protection as a metal or steel and concrete floor and will not weigh as much. Because the area is used for storage they are concerned about the weight and for this reason they chose wood construction.

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## ITEM #5.

Mr. Wolf indicated that they are willing to protect the existing stairway but to add another stairs would use up a good portion of the sales area which they need. The area is sprinklered above and below and they also will have an alarm system for protection.

Motion by VandenBussche  
Supported by Harris

MOVED, to grant Phillips Shoes, 674 W. Fourteen Mile Road (Oakland Mall) a variance to erect a mezzanine with noncombustible wood with the provision that the area above and below be sprinklered.

Ayes: 5  
Nays: 0  
Absent: 0

MOTION TO APPROVE CARRIED.

Motion by Halsey  
Supported by Spurr

MOVED, to deny Phillips Shoes, 674 W. Fourteen Mile Road (Oakland Mall) the variance for a single exit stairway from a second floor/mezzanine area.

Ayes: 5  
Nays: 0  
Absent: 0

MOTION TO DENY REQUEST CARRIED.

ITEM #6 (Item #3) 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.

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The petitioner was not present.

Motion by VandenBussche  
Supported by Spurr

MOVED, to table the request of 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 until the next regular meeting (December 5, 1984) to give the petitioner the opportunity to be present.

Ayes: 5  
Nays: 0  
Absent: 0

MOTION TO TABLE UNTIL DECEMBER 5, 1984 CARRIED.

The Building Code Board of Appeals meeting adjourned at 9:20 a.m.

*9/25*

