

A regular meeting of the Building Code Board of Appeals was called to order at 8:30 a.m. on Wednesday, December 7, 1994 by the Chairman, Ted Dziurman.

PRESENT: Michael Culpepper
Ted Dziurman
William Nelson
Mark Stimac

ABSENT: Kuisum Rashid

APPROVAL OF MINUTES: November 2, 1994

Motion by Culpepper
Supported by Nelson

MOVED, to approve the November 2, 1994 minutes as written.

Yeas: all 4
Absent: Rashid

MOTION TO APPROVE CARRIED

Items taken out of order

ITEM #2 Scott E. Zilincik, 5975 Diamond, for relief of Chapter 83 (Fence Ordinance).

Mr. Stimac explained that the petitioner's property is at the north end of Diamond. It also has a yard adjacent to Square Lake Road. Since there is an existing residence fronting on Square Lake within the same block, this yard adjacent to Square Lake is considered a front yard. The petitioner is proposing to locate a 6 foot high wood fence in this area, where Chapter 83 limits the height of any fencing to 30 inches. This item was tabled at the last meeting to allow the petitioner the opportunity to revise his request. We have now received a revised plan indicating that the fence is proposed to be 12'6" from the north property line.

Doug Bordes, who is on the board for the homeowner's association was present and objected indicating that the subdivision building use restrictions limited fences to 48 inches.

Larry Edson, President of the homeowner's association was present and objected citing the 48 inch height and noted that the restriction was for aesthetic purposes.

Merill Dixon, 5974 Diamond, was present and stated that he approved of the fence at the new proposed location.

Scott Zilincik stated that he feels the subdivision restrictions were meant for interior lots and do not apply to his lot. He does not have the greenbelt that some residences have when they abut a major street. The fence is for the safety of his one year old and to keep down the noise from Square Lake Road.

Motion by Stimac
Supported by Culpepper

MOVED, to approve the request of Scott E. Zilincik, 5975 Diamond, for relief to construct a 6 foot high wood fence located 12-1/2 feet from the north property line, with the stipulation that additional plantings be provided along the north side of the fence to screen the fence from Square Lake.

Yeas: Stimac, Culpepper, Nelson
Nays: Dziurman
Absent: Rashid

MOTION TO APPROVE CARRIED

ITEM #5 Wright & Phillipis, Inc., 5373 Shrewsbury, for relief of Section 817.3, exception 3 of the 1990 B.O.C.A. Code.

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ITEM #5

Mr. Stimac explained that petitioners are proposing to install a stair lift device in an existing single family residence. The lift is proposed to be installed on the stairs to the second floor and will result in a clear stair width of only 26 inches. Section 817.3 of the B.O.C.A. Code requires a minimum 36 inch clear width on a stairway.

Bill Flint was present to represent Wright & Philipis. Mr. Flint indicated that the stairway width would be approved in the 1993 code.

Motion by Nelson
Supported by Culpepper

MOVED, to grant Wright & Philipis, Inc., 5373 Shrewsbury, a variance as requested for relief of Section 817.3, exception 3 of the 1990 B.O.C.A. Code as it would be approved in the 1993 Code.

Yeas: All 4
Absent: Rashid

MOTION TO APPROVE CARRIED

ITEM #6 Brian Hunt/ Robert D. Naubert, 1778 Latimer, for relief of Chapter 79A.

Mr. Stimac explained that petitioners have constructed a lean-to type shed addition onto an existing single family residence. The building has a 24" deep perimeter rat wall. Section 1205.1 of the B.O.C.A. Code required that footings extend below the frost line (42").

Mr. Naubert was present and stated that he was not aware he needed a footing and the lean-to shed was constructed as part of his deck. It is supported by his deck, it is aesthetically pleasing, the construction is very sound but does not meet code. Mr. Naubert suggested that he could dig out and install a rat wall that would be 12" plus wide and 24 inches in depth. Mr. Naubert noted that he chose this type of construction for additional storage since the subdivision does not permit sheds.

Motion by Stimac
Supported by Nelson

MOVED, to grant Robert D. Naubert, 1778 Latimer, a variance to maintain a lean-to type shed with the stipulation that a 24" rat wall be provided in lieu of the 42" footing required.

Yeas: All 4
Absent: Rashid

MOTION TO APPROVE, AS STIPULATED, CARRIED

ITEM #7 J. Mark Ludtka, AIA, Callison Partnership, Ltd., 2850 W. Big Beaver Road, for relief of Section 501.1 and Section 2611.2.2

Mr. Stimac explained that the petitioners are the architects for the proposed Nordstroms store at Somerset Collection North. The proposed building is a fully suppressed, three-story, type 2C building which is 58'6" high. Section 501.1 of the B.O.C.A. Code limits the height of buildings of this type to 50 feet.

In addition the petitioners are proposing to install a series of escalators in the store. The floor opening for these escalators is 1100 square feet. Section 2611.2 of the code limits the size of the opening to twice the size of the escalators themselves or 900 square feet in this instance.

Mr. Ludtka was present and explained the protective steps taken to accommodate the additional height and noted that they propose to install quick response sprinkler heads and an independent smoke control system. Mr. Ludtka also explained the protective measures taken in regards to the escalator openings, which included the aisles, keeping merchandise away from the immediate area and fire resistant materials used in the opening areas.

ITEM #7

Motion by Stimac
Supported by Nelson

MOVED, to grant J. Mark Ludtka, AIA Callison Partnership, Ltd. on behalf of Nordstroms, Inc., 2850 W. Big Beaver, relief of Section 501.1 and Section 2611.2.2 of the 1990 B.O.C.A. Code, to permit the following:

1. A 58'6" high structure where 50 feet is allowed with the stipulation that quick response sprinkler heads are provided throughout the structure.
2. That the 1150 square foot escalator openings in lieu of the 900 square feet permitted by code, be approved with the stipulation that all interior finishes within the openings comply with Class I ratings.

Yeas: All 4
Absent: Rashid

MOTION TO APPROVE, AS STIPULATED, CARRIED.

ITEM #4 Gethsemene Landscape Architectural Builders, Inc., Lots #21 and #1, Vineyards and Adams, for relief of Chapter 83 (Fence Ordinance).

Mr. Stimac explained that petitioner has been hired by the subdivision developer of Bailey's Vineyard Subdivision. The petitioner is proposing a 3 foot high entrance way wall and 6 foot high brick columns which are proposed to be located within the front yard along Adams Road. Chapter 83 limits the height of fences within the front yard to 30 inches. The structure will not create any traffic visibility problems, there will be clear vision entering or exiting the subdivision.

Randy Marcial, President of Gethsemene Landscape Architectural Builders, Inc. was present and explained that the subdivision entrance structure (fence) was designed to compliment the homes in the subdivision. Berms and landscaping will give a 30" high appearance. If the entrance structure were only 30 inches in height it would be hidden by the plantings. Joe Craig, the developer of the subdivision, was present and noted, that as part of the deed restrictions, the homeowners association is responsible for maintenance of the entrance structure and area.

The chairman opened the public hearing and there were no comments. The public hearing was closed.

There was 1 approval and 1 objection on file.

Motion by Stimac
Supported by Culpepper

MOVED, to grant Gethsemene Landscape Architectural Builders, Inc., Lots #21 and #1, Vineyards and Adams, a variance, as requested for relief of Chapter 83 (Fence Ordinance) to construct a fence along the Adams Road Right-Of-Way with the fence no more than 42 inches and columns no higher than 6 feet above the finished sidewalk grade.

Yeas: All 4
Absent: Rashid

MOTION TO APPROVE CARRIED.

ITEM #1 Orion Homes, Inc., Melanine and Livernois, for relief of Chapter 83 (Fence Ordinance).

The chairman noted that this request was tabled at the November meeting and noted that the tabling action remain until the next regular meeting (January 4, 1995).

ITEM #3 Michael Cloutier, 2018 Brinston, for relief of Chapter 83 (Fence Ordinance).

The petitioner was not present.

Motion by Stimac
Supported by Culpepper

MOVED, to table the request of Michael Cloutier, 2018 Brinston, until the next regular meeting (January 4, 1995) to give the petitioner the opportunity to be present.

Yeas: All 4
Absent: Rashid

MOTION TO TABLE UNTIL THE NEXT REGULAR MEETING (JANUARY 4, 1995) CARRIED.

The Building Code Board of Appeals Meeting adjourned at 9:50 a.m.

MS/ddb

Handwritten signatures in black ink, appearing to be initials or names, located below the typed text.