

A regular meeting of the Building Code Board of Appeals was called to order on Wednesday, February 2, 1994 at 8:30 a.m. by the Chairman, Ted Dziurman.

PRESENT: Michael Culpepper
Ted Dziurman
Kulsum Rashid
Mark Stimac
William Nelson

APPROVAL OF MINUTES - January 5, 1994

Motion by Culpepper
Supported by Rashid

MOVED, to approve the January 5, 1994 minutes as submitted.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO APPROVE CARRIED.

ITEM #1 Diane J. Brayton, 2221 E. Square Lake Road, for relief of the Troy City Code, Chapter 83 (Fence Ordinance).

Mr. Stimac explained that the petitioner's property fronts on the north side of Square Lake east of John R. The petitioner proposes to place a 4 foot high, 3 rail, split rail fence in the front yard of the property. Chapter 83 of the Troy City Code (Fence Ordinance) limits fences in the front yard to no taller than 30 inches. The petitioner seeks relief to install the taller fence.

Diane Brayton was present and stated that she has horses and the fence is to keep the horses confined for the safety of the horses and public. The fence is proposed to be in line with the fence on the adjacent property for aesthetic purposes, rather than to have one at one setback and the other at a different setback.

The chairman opened the public hearing.

There were no comments.

The chairman closed the public hearing.

Motion by Nelson
Supported by Stimac

MOVED, to grant Diane J. Brayton, 2221 E. Square Lake Road, a variance as requested by construct a 4 foot high, 3 rail, split rail fence in the front yard area.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO APPROVE REQUEST CARRIED.

ITEM #2 Judy Mae Cannon, 1943 Fleetwood, for relief of the 1990 B.O.C.A. Building Code, Exception 1 of Section 817.3.

Mr. Stimac explained that the petitioner operates an adult foster care home at this site. They are proposing to install a chair lift on the stairs from the 1st to 2nd floor. The installation of the chair lift will result in a clear width on the stairs of only 23-1/2 inches. Exception 1 of Section 817.3 of the 1990 B.O.C.A. Building Code requires a 36 inch clear width on a stairway within a single family residence.

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Judy Cannon and Carol Avery were present. Ms. Cannon explained that she operates an adult foster care home at this location and the chair lift is for the comfort and security of the elderly persons living in the home. The chair lift will improve the quality of their life, as some are afraid of the stairs and some have arthritis. Ms. Cannon stated that the chair lift will fold up at the landing at the bottom of the stairs when not in use. She does not feel that the chair lift would create a hazard. To make the stairs conforming would require some major construction changes and would narrow down the hallway and cut off bedroom space.

Motion by Stimac
Supported by Nelson

MOVED, to grant Judy Mae Cannon, 1943 Fleetwood, a variance, as requested to install a chair lift on stairs from the first to second floor, creating a 23-1/2 inch clear width on the stairs where a 36 inch clear width is required by code. Approval is granted with the condition that the chair lift is so installed that it moves into the far corner when at the bottom of the stairs.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO APPROVE CARRIED.

ITEM #3 Frankel/Forbes-Cohen Properties, Northeast corner of Coolidge and W. Big Beaver, for relief of Section 501.1 of the B.O.C.A. Building Code, as modified by Section 503.1.

Mr. Stimac explained that the petitioners propose to construct a new three story shopping mall. They propose to use type 2C, unprotected non-combustible construction. Section 501.1 of the 1990 B.O.C.A. Building Code, with the increase allowed for automatic sprinkler systems contained in Section 503.1, limits the height of type 2C buildings with use group M uses to 50 feet. the petitioner requests relief to build to a height of 57 feet.

Tom Cairnes from Frankel/Forbes-Cohen and Dan Rodriguez, representing the architect, were present. Mr. Rodriguez explained that the floor-to-floor dimensions and ceiling heights did not exceed the code requirements. But because of the unique design of the structure, the additional height is above the third floor and mostly due to skylights. The additional height above the third floor allows increased volume for smoke development. Also, they propose quick response sprinkler heads and automatic smoke control. Their exit capabilities exceed requirements. There is roof access for the Fire Department and they have also provided roof hydrant accessibility.

Motion by Nelson
Supported by Stimac

MOVED, to grant Frankel/Forbes-Cohen Properties, Northeast corner of Coolidge and W. Big Beaver, a variance as requested, for relief of Section 501.1 of the 1990 B.O.C.A. Building Code, as modified by Section 503.1 to construct a shopping mall structure 57 feet in height where 50 feet would be required, with the condition that quick response sprinkler heads are required.

Yeas: 5
Nays: 0
Absent: 0

MOTION TO APPROVE CARRIED.

The Building Code Board of Appeals adjourned at 9:15 a.m.

MS/ddb

