

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals, to order at 8:30 A.M., on Wednesday, May 4, 2005 in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Ted Dziurman  
Bill Nelson  
Tim Richnak  
Rick Kessler  
Frank Zuazo

ALSO PRESENT: Mark Stimac, Director of Building & Zoning  
Pamela Pasternak, Recording Secretary

### **ITEM #1 – APPROVAL OF MINUTES – MEETING OF APRIL 6, 2005**

Motion by Nelson  
Supported by Richnak

MOVED, to approve the minutes of the meeting of April 6, 2005 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES CARRIED

**ITEM #2 – VARIANCE REQUEST. KESSIE KALTSOUNIS, 760 W. WATTLES**, for relief of Chapter 78 to put up 30 off-site signs to advertise the upcoming OPA Festival.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 78 to put up 30 off-site signs to advertise the upcoming OPA Festival. Section 14.03 of the Sign Ordinance limits the number of off-site signs to four (4). These signs would be displayed from June 21<sup>st</sup> until June 27<sup>th</sup>.

Mr. Dziurman asked if this was the same request that had been presented in the past. Mr. Stimac stated that it was and we have not received any complaints or objections regarding these signs.

Ms. Kaltsounis was present and stated that she had nothing further to add.

Motion by Richnak  
Supported by Nelson

MOVED, to grant Kessie Kaltsounis, 760 W. Wattles, relief of Chapter 78 to put up 30 off-site signs to advertise the upcoming OPA Festival where 4 signs are permitted.

- Signs will be displayed from June 21<sup>st</sup> until June 27<sup>th</sup>.
- Variance is not contrary to public interest.

**ITEM #2 – con't.**

Yeas: All – 5

**MOTION TO GRANT VARIANCE CARRIED****ITEM #3 -VARIANCE REQUEST. J & E HOME IMPROVEMENTS, 1246**

**PROVINCIAL**, for relief of the 2003 Michigan Residential Code to finish a basement into habitable space, which will result in a finished ceiling height of 6'-9", and also, two drops for ductwork with a 6'-2" ceiling height where a minimum of 7' is required.

Mr. Stimac explained that the petitioner is requesting relief of the 2003 Michigan Residential Code to finish the basement at 1246 Provincial. The plans submitted indicate a 240 square foot area of the basement with a 6'-9" finished ceiling height. In this same area the plans also show two (2) drops for ductwork with a 6'-2" ceiling height. Section R 305.1 requires a 7' minimum ceiling height and allows a 6'-6" minimum for dropped areas.

Mr. David Shipley of J & E Home Improvements was present. Mr. Shipley explained that the area under the family room is the space that would be 6'-9"; however this is the area that they can raise the ceiling height to 6'-10". The other areas have a duct drop and they will cover those as these ducts are directly against the walls.

Mr. Richnak asked how far from the wall these covered drops would come out. Mr. Shipley stated that they would be boxed in about 18" from the wall

Mr. Dziurman asked if other permits would be required to finish the basement and Mr. Stimac said that once the work was started the appropriate permits would be obtained and would comply.

Mr. Stimac asked the petitioner if there was any way that they could build in shelves or bookcases under the ductwork, to prevent anyone from walking in this area. Mr. Shipley stated that he was not sure what the homeowner had planned but thought he was going to put in an entertainment center in this area. Right now they have five or six boxes of children's toys in this space. Mr. Shipley also said that because this is an Owens-Corning basement, they do not encourage shelves, as the walls would not support them.

Mr. Stimac then asked if it was possible to bring the entire wall out 18" and Mr. Shipley said that this was something that could be done. Mr. Stimac also stated that the plans indicate that the adjacent wall would be pushed back. Mr. Shipley said that the are coming off 12" to allow clearance around the furnace area.

Mr. Kessler stated that there is 7'-3" clearance at the foot of the stairs and asked why they wished to expand this area. Mr. Shipley said that he did not know the exact reason the homeowner wanted his basement finished in this area. Mr. Shipley stated that the

**ITEM #3 – con't.**

homeowner wanted to create as much visible, usable, living space as possible in this basement. Mr. Shipley also said that this is a very large basement.

Mr. Kessler suggested that this area of the basement could be dry walled, and the rest of the basement would be in compliance with the Building Code. Mr. Kessler also said that he did not find a hardship related to this request and by changing the material in this area they would be much closer to compliance than the original request. Mr. Shipley said that no matter what they do, they still would not be in compliance. Mr. Kessler indicated that he would sooner grant a variance for ½" ceiling height with drywall, than 2" with the proposed system.

Mr. Shipley said they would not be able to access the ceiling. Mr. Kessler stated that they would be able to put in access panels. Mr. Kessler said that there is no hardship and there is only one (1) area that is not compliant and they could scale back the scope of the work.

Mr. Dziurman asked if Mr. Shipley was speaking for the homeowner. Mr. Shipley stated that he was and thought that the homeowner would be at this meeting also.

Mr. Kessler said that under the floor joist you could come up to 6'10" and if you added ½" drywall and ½' furring strips you could get up to 6'11 ½", which he feels is a huge difference. The change in the materials would not be visible because there are beams in this area.

Mr. Dziurman asked about the areas under the duct system and Mr. Kessler said that he could box it out floor to ceiling.

Motion by Kessler  
Supported by Richnak

MOVED, to grant J & E Home Improvements, 1246 Provincial, relief of the 2003 Michigan Residential Code to finish a basement into habitable space, which will result in a finished ceiling height of 6'11 ½", where a minimum of 7' is required.

- ½" drywall is to be added, which will bring ceiling height to 6'-11 ½".
- Ductwork is to be boxed in from floor to ceiling.

Yeas: All – 5

**MOTION TO GRANT VARIANCE WITH STIPULATIONS CARRIED**

Mr. Richnak stated that in the future Mr. Shipley should advise the homeowners that it would be very beneficial for them to attend this meeting so they could answer any questions that the Board had.

The Building Code Board of Appeals meeting adjourned at 8:45 A.M.

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Ted Dziurman, Chairman

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Pamela Pasternak, Recording Secretary