



DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT

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BUILDING SAFETY OFFICE

Virg Bernero, Mayor

OFFICIAL PROCEEDINGS OF THE CITY OF LANSING BUILDING BOARD OF APPEALS

Held at 316 N. Capitol Ave. at 2:00 pm
October 24, 2017

The October 24, 2017 meeting of the City of Lansing Building Board of Appeals was called to order at 2:00 PM. by Chairman Don Heck. The following members were in attendance:

Don Heck, Chairman
James Drake, Vice Chairman
Tom Knoy
Stephanie Space

Members Absent: None

Staff Present: Jim Bennett, Building Safety Manager
Jonathon Snyder, Chief Plan Review Analyst
Sheila Platner, Fire Inspector

Petitioners Present: Ken Jones, Studio Intrigue
Shawn Elliott, Washington Plaza
Tom Schwind, Cameron Tool
John Pettinger, Cameron Tool

Public Present: None

Chairman Don Heck asked for the approval of the February 14, 2017 meeting minutes. James Drake made a motion to approve the minutes. Motion seconded by Tom Knoy. Motion carried unanimously.

Old Business: None

New Business:

<u>Case No.:</u>	<u>Address:</u>	<u>Petitioner:</u>
BBA-002-2017	200 S. Washington Street	Ken Jones

(These minutes of the Building Board of Appeals are not intended to be a transcript.)

Stephanie Space (SPACE) recuses herself because of her employment with Studio Intrigue.

Shawn Elliott (ELLIOTT) states that the building originally had window openings on the south side along the property line and were filled in. He wants to reopen them and points out that 2 of his buildings he owns, 208 and 109 S Washington Square were granted to be reopened with window sprinklers.

Jim Bennett (BENNETT) states that having sprinkler heads for the windows on the inside and outside protects your building from catching another building on fire and that other building from catching your building on fire. He also states that glass block has been used in the past.

ELLIOTT states that the tenant would not like glass block.

BENNETT states that different combinations of glass block, 90 minute glass openings, sprinkler heads on the inside and outside have been used in the past.

Drawings are presented showing the building and buildings surrounding it.

Sheila Platner (PLATNER) states that prior precedents does not matter when it comes to fire safety and does not care about what was passed by the Board years ago.

Conversation ensues regarding the cost of glass protection for the proposed 3 windows.

PLATNER states she would be satisfied with fire rated glazing and inside window wash.

BENNETT states the decision from the Board for the openings does not preclude the adjacent property owner from building their building however they want.

James Drake (DRAKE) makes a motion for two options:

1. Rated framing and glazing with sprinkler head at each window on interior side.
2. Regular glazing with dry sprinkler head on outside and wet sprinkler head on interior side of each window.

Tom Knoy (KNOY) supports the motion.

Motion carried unanimously.

<u>Case No.:</u>	<u>Address:</u>	<u>Petitioner:</u>
BBA-003-2017	1800 Bassett Avenue	Tracy Selden

Tom Schwind (SCHWIND) states he will represent Tracy Selden. He hands out a fax from the architect Jim Nichols and states that when the previous addition was built it was allowed to use the railway property to meet the sixty feet requirement surrounding the building.

BENNETT states that there was a previous Board appeal upon the property and that it was in regards to including adjacent owned properties into one parcel. This was for the purpose of not having to sprinkle the building.

Jonathon Snyder (SNYDER) states that the architect is using Section 507.3 MBC 2015 (MBC), the area of a Group F-2 or S-2 building not more than one story in height shall not be limited where the building is surrounded and adjoined by public ways or yards not less than 60 feet in width. This does equate with the 1994 Uniform Building Code (UBC) that was used when the previous additions were built.

SCHWIND states that it was thought the railway could be used for the sixty feet but is not being interpreted that way.

HECK gives a summary of the appeal from 1998, stating that the expansion was allowed without combining the parcels with restrictive covenants on the deeds and that Section 505.2 UBC states that sixty feet of clear yard is to be provided to not limit the area of Group F Division 2 occupancies of Type 2 construction.

BENNETT states that years ago the code recognized railways as if they were a public way. Now the code gives the definition of public way and does not recognize railways as a public way.

PLATNER states she contacted the railroad and was told that their right of way is twenty feet from the tracks and can be extended based on topography. If the railroad comes upon a building that is too close to the tracks they would demand it tore down.

HECK reads Section 507.2.1 MBC; the public ways or yards of sixty feet in width required Sections 507.3, 507.4, 507.5, 507.6, and 507.12 shall be permitted to be reduced to not less than 40 feet in width provided all of the following requirements are met:

1. The reduced width shall not be allowed for more than 75% of the perimeter of the building.
2. The exterior walls facing the reduced width shall be a fire-resistance rating of not less than 3 hours.
3. Openings in the exterior walls facing the reduced width shall have opening protectives with a fire protection rating of not less than 3 hours.

He reasons that this option exists and can be used to reduce the required 60 feet to 40 feet.

HECK reads the definition of public way from the MBC; a street, alley or other parcel of land open to the outside air leading to a street, that has been deeded, dedicated or otherwise permanently appropriated to the public use which the railway is not. The Board cannot change this definition.

HECK states there are two options:

1. You can withdraw your appeal because there is a work around.
2. We can vote and essentially deny your appeal.

SCHWIND withdraws the appeal.

BENNETT asks the Board to make motion that the Board meets the second Tuesday of the month at 2:00 PM at the Building Safety Office. The appeal has to be made 20 days prior to the meeting.

DRAKE makes this motion.

KNOY supports.

Motion carried unanimously.

Other Business: None

Public Comment: None

DRAKE makes a motion to adjourn.

KNOY supports.

Motion carried unanimously.

Respectfully submitted,



Jonathon Snyder, Chief Plan Review Analyst

Draft date: 10/27/17
Approved date: 12/12/17

cc: Mayor's Office
City Clerk's Office
Appeal folders
Public file - original

Board Secretary
Building Safety Office Staff Representatives
Appeal applicants