

City of Mt. Pleasant
Building, Fire and Sanitary Sewer Board of Appeals

Minutes of Meeting
May 2, 2011

I. Chairman Olivieri called the meeting to order at 5:30 p.m.

Members Present: Kahn, Cashen, Olivieri, Kulick, Tolas
Absent: DeBruin

Others Present: Brian Kench, Bessheen Baker, Nancy Liponoga

II. Approval of Agenda

M/S Kulick/Kahn to accept agenda. Motion passed.

II. Approval of Minutes from April 4, 2011

M/S Kulick/Kahn to approve the minutes. Motion passed.

V. **Communications:** Kench reported that there were no communications to report.

VI. **New Business:** Kench reported that there was no new business to report.

VII **Case #BFS 2-2011 – 503 E. Broadway – Bessheen Baker:** The applicant is appealing the Fire Department's decision regarding egress windows in an existing rental property.

Kench noted that this case was postponed from the Board's last hearing to gather information regarding the building codes. Kench noted that the Board needs to remove the case from the table.

M/S Kulick/Kahn to remove the case from table. Motion passed

Kench provided a brief update on the request and the discussion that took place at the April 4, 2011 hearing. Kench noted the Board postponed taking action on the case in April to allow staff to provide the Board with copies of the code, regarding egress windows in sleeping rooms, at the time of construction.

Kench noted that the City adopted the 1982 edition of the Uniform Building Code, which was in effect at the time of construction. Kench shared section 1204 from the code which called for all sleeping rooms to be provided with an approved egress window. Kench pointed out that the standards in effect at the time were consistent with the requirements with the codes that followed. Kench provided copies of the Uniform Codes regarding secondary exit requirements out of sleeping rooms from 1973, 1982, 1985, 1988, 1991 and 1994, which are attached and made a part of these minutes.

Kench also reported that he spoke with the Assistant Building Inspector, William J. McCracken, regarding the construction and the letter that he sent to the owner's regarding the construction of the apartments. Mr. McCracken noted that they too, took the same position that a room that lacked an approved egress window could not be used for sleeping purposes.

Bessheen Baker, owner, noted again that when she purchased the property, it was her understanding that the two apartments were licensed as two 2-bedrooms.

Board discussion on what it may take to open up the wall to create one shared bedroom. The board determined that this was an issue that the owner will need to take up with the Fire Department for compliance under the licensing standards. The Board did note that they would allow the applicant to come back to the Board for consideration if the owner could not resolve the issue with the Fire Department regarding the amount of wall that would need to be removed.

M/S Kahn/Kulick moved to deny the request on the basis the room and the codes in the effect at the time did not permit the use of the space for sleeping purposes. Motion passed.

Staff reported that was no other business

M/S Kahn/Cashen to adjourn. Motion passed.

Meeting was adjourned at 5:56 p.m.