

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

Minutes of Meeting
Monday, March 21, 2016

Staff called the meeting to order at 4:05 pm.

Members Present: Nieporte, Sommers, Kahn, Cline, Allen
Absent:

Staff Present: Brian Kench and Mike Dunham
Applicant: Tim Schafer

Election of a Chair and Vice Chair - Kench opened the floor for nomination for Chair.
M/S Kahn/Cline to nominate Nieporte as Chair. Motion Passed

M/S Nieporte/Sommers to nominate Cline as Vice Chair. Motion Passed

Chairman Nieporte presided over the meeting at this point.

Approval of Agenda - M/S Cline/Sommers to approve the agenda. Motion Passed

Approval of Minutes from June 4, 2015

M/S Cline/Kahn to approve the Minutes from June 4, 2015 - Motion Passed

Communications - None

New Business:

Dunham provided an update on future amendments to the housing and licensing code related to ceiling height that will be considered.

Other Business:

Case #BFS-16-01 - 621 S. Lansing. Applicant is seeking relief from Chapter 152, Section 301.5 of the Housing Licensing Code of the City of Mt. Pleasant.

Dunham provided an update on the case, based on the staff report. Dunham noted that on September 28, 2015, the owner of the home decided to apply for a single family license and rent the property. Erika Lawson (owner) was no longer occupying the home. The property was listed for four months and hadn't sold, so she made the determination to rent. The application for single family licensure was approved on October 1, 2015. On October 21, 2015 the Mount Pleasant Fire Department conducted an inspection of the property which identified 17 housing code violations, including the low ceiling height of the second floor. Although the re-inspection was set for November 23, 2015 it was never conducted.

In early February 2016, the owners mother, Carolyn Lawson (obtained Power of Attorney for the property on October 7, 2015) called inquiring about the number of violations we cited. She questioned the number of violations since it had been a rental prior to her daughter owning the property. I notified her that if it was a rental prior to her daughter's ownership it was unlicensed and in violation of the City

Housing Licensing Code. I also stated that the property was never inspected by the Fire Department prior to them owning it. She informed me that a local builder was interested in purchasing the home but only if the property had at least two bedrooms. Our inspection report stated that the violations present made the home essentially a 1 bedroom house. I advised Carolyn Lawson of the appeal process. A short time later the potential buyer, Tim Schafer, contacted me about the low ceiling height. He stated that he could raise the ceiling height on the second floor to the minimum 7' relatively easy but the stair width couldn't be changed. The stair tread height is also non-compliant, but Mr. Schafer stated that he could modify that by lengthening the stringer. I appreciated his honesty and asked if I could come out and take a measurement.

Mr. Schafer and I met at the property and we measured the width of the stairs at 30". The stair treads and risers were not measured since they are being replaced. This staircase is the primary means of egress for the second floor. If the appeal to allow the use of the existing stair width is acceptable, the property could be used as a two bedroom rental with a single family license as long as all violations listed on the inspection report comply with the Housing Licensing Code.

Schafer noted that he spoke with staff about possibly moving the wall and/or wall finish adjacent to the stairs, along with the work that he was planning to update the rise/run in an attempt to gain the additional 6 inches needed in the stair width. Schafer indicated that he is not able to move the wall; as it would require a reduction in the 30 inch door leading into the bedroom. Also, moving the door to the area behind the stairs, which would be accessed off the kitchen, puts the bedroom door quite a distance away from the bathroom.

Kahn noted that he is not comfortable allowing a 30 inch stairway in the event of a fire emergency for both the occupants and fire fighting personnel with all their gear being able to quickly access the upper floor.

Schafer noted that he understood the Board's role. If the case is denied, he will simply look for another investment property. The purchase of this home is contingent upon this approval.

M/S Kahn/Sommers to deny the request on the basis of concerns with fire safety.

M/S Kahn/Nieporte to adjourn. Motion Passed.

Meeting was adjourned at 4:30 p.m.