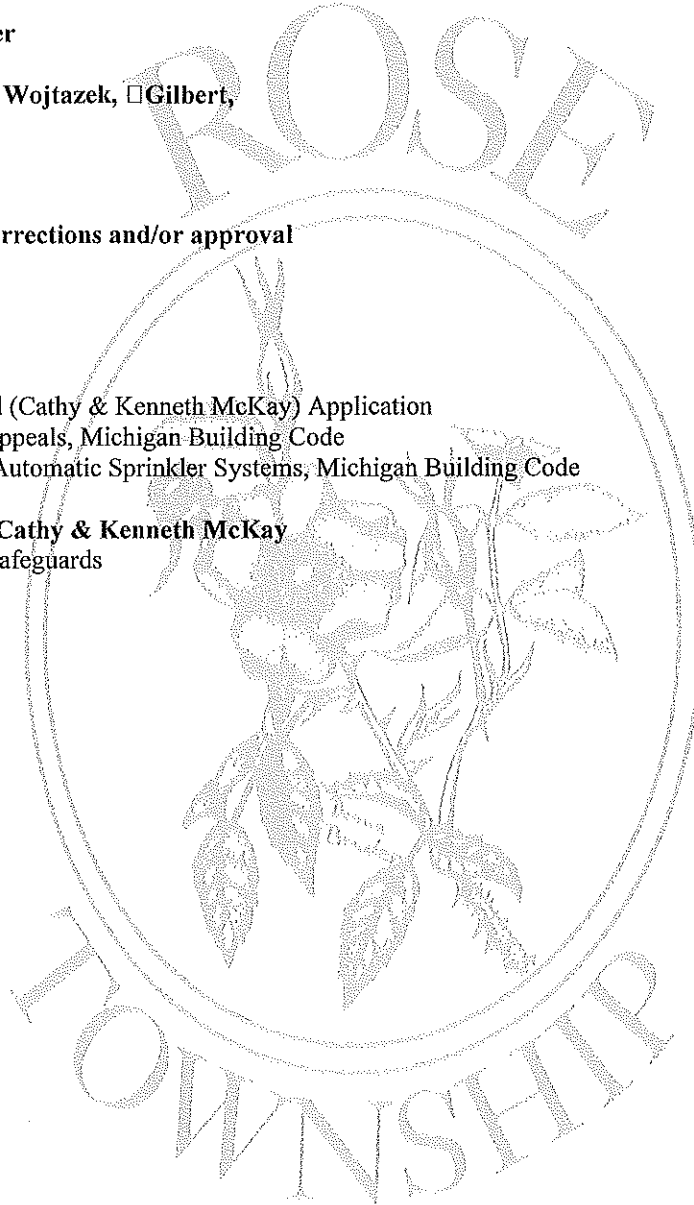


**ROSE TOWNSHIP CONSTRUCTION BOARD OF APPEALS
REGULAR MEETING**

**August 29, 2017
5:00PM
AGENDA**

1. **Call the meeting to order**
2. **Roll Call:** MeGee, Wojtazek, Gilbert,
3. **Approval of Agenda**
4. **Minutes: Additions, corrections and/or approval**
 - A. April 6, 2017
5. **Communications**
 - A. 11035 Fish Lake Road (Cathy & Kenneth McKay) Application
 - B. Section 13 Board of Appeals, Michigan Building Code
 - C. Section 903.2.1.2 (2) Automatic Sprinkler Systems, Michigan Building Code
6. **Hearing on request for Cathy & Kenneth McKay**
 - A. To allow Alternative safeguards
7. **Adjournment**
 - A. Motion
 - B. Time _____PM



Draft
ROSE TOWNSHIP CONSTRUCTION BOARD OF APPEALS
April 6, 2016

The following residents and guests signed in as present:

Linda Dagenhardt Tom Willwerth Donna Boshell Darlyne Stanczyk
Don Walls Diane Scheib-Snyder

Other(s) present: Susan Weaver (recording secretary), John Mulvihill, Esq. (Township Attorney)
Debbie Miller (Clerk), Paul Gambka (Supervisor), Craig Strong (Building Official), Douglas Smith
(Deputy Fire Chief) David Plewes,

President McGee called the meeting of the Rose Township Construction Board of Appeals to order at 5:00 p.m. at the Rose Township Hall, 9080 Mason Street, Rose Township, Michigan.

Board Members Present: McGee, Gilbert, Wojtaszek

APPROVAL OF AGENDA:

A. Approval of Proposed Agenda for January 13, 2016

Moved by Wojtaszek, seconded by Gilbert, motion carried to approve the Agenda as published.

Voting Yes: McGee, Wojtaszek, Gilbert
Voting No: None

APPROVAL OF MINUTES:

None.

ELECTION OF OFFICERS:

Steve McGee nominated as President. Mr. Gilbert was nominated as Vice President

Voting Yes: McGee, Wojtaszek, Gilbert
Voting No: none

Communications

- A. 3940 Demode Rd., Mr. & Mrs. Wyman Application
- B. Section 13 Board of Appeals, Michigan Building Code
- C. Section 903.2.1.2(2) Automatic Sprinkler Systems, Michigan Building Code

Hearing on request for Rodney and Antoinette Wyman

- A. To allow alternative safeguards

Deputy Fire Chief Smith explained that this is an A2 structure as defined by building code and requires an automatic sprinkler system. However after meeting with the Wyman family, the building official and various other entities Mr. Smith has determined that a sprinkler system in this structure may be unnecessary as long as the occupancy stays at 199 people or less. He has determined a list of 10 requirements (document on file at the office of the Rose Township Clerk) that the family may fulfill to help alleviate the sprinkler system requirements. Mr. Smith said the family has already complied with

most of these suggestions/requirements.

Building Official Craig Strong stated that he has inspected the building and agrees with the fire chief. The only requirement he asked them to do was to add a handrail on the stairs to the mezzanine; Mr. Wyman said he has already taken care of that.

Mr. Wojtaszek asked if smoke detectors could be added to the building and that is the only way he would vote in favor of eliminating the sprinkler system. The alarms would at least alert people to get out while a sprinkler system is intended to save the building itself; he doesn't care about the building, he cares about getting people out of the structure. There should be enough smoke detectors to cover the whole building square footage and installed to manufacturers specification which will give them that square footage amount.

Resident – Linda Dagenhardt said the building has electricity and no electrical permits were pulled. She said people always blame fires on electrical wiring and she believes they should have to have a permit and have the electrical inspected properly.

- **Motion by McGee to approve the request by the Wyman's for 3940 Demode Rd with the stipulations following the letter dated October 28, 2015 by Deputy Fire Chief Doug Smith with the 10 items listed for fire improvement requirements with the only modification under item #8 and for this year only, 2016 where it addresses fire alarms this would meet the fire departments intent as discussed with smoke detectors. Going forward after January 1, 2017 have an approved NFPA 72 fire alarm system with pull stations and all the requirements; also any permits that might be required by the Building Department. Motion seconded by Mr. Gilbert.**

Voting Yes: McGee, Gilbert Wojtaszek
Voting No: none

Meeting adjourned at 5:44 pm

Approved/Corrected

Debbie Miller, CMC, CMMC
Rose Township Clerk

SUBMIT TO:
ROSE TOWNSHIP ZONING ADMINISTRATOR
1000 MASON STREET
HOLLY, MICHIGAN 48442 (TEL: 248-634-0290)

CBA# _____

APPLICATION CONSTRUCTION BOARD OF APPEALS
As Required by the Rose Township Ordinance Sec. 8-26.

To be placed on the agenda for the C.B.A., application must be complete and submitted 30 days prior

PROPERTY ADDRESS

ZONING DISTRICT Rose Township MASTER PLAN _____

PROPERTY LOCATION 11035 Fish Lake Rd Holly MI 48442
(Road Access and Between what Cross Streets)

LEGAL DESCRIPTION R 06 08 400 004

PROOF OF OWNERSHIP _____

OWNER/APPLICANT

NAME Cathy L & Kenneth McKay
ADDRESS 11035 Fish Lake Rd
CITY Holly STATE MI ZIP CODE 48442

The undersigned desires a variance from the Building Code

Building Code Section 903.2.1.2

Proposed variance request Allow other Option for fire suppression - fire detectors. Intumescent Paint, multiple Exits

Reason behind variance request Allow optional methods for fire

Cathy L McKay
Applicant's Signature

Owner's Signature (if not applicant)

Subscribed and sworn before me this 27 day of July, 2017 a Notary Public in and for Oakland County, State of Michigan.

Denise Renee Hanley
Signature (Notary Public)
My Commission expires 7-8, 2019

DENISE RENEE HANLEY
Notary Public - Michigan
Oakland County
My Commission Expires Jul 8, 2019
Acting in the County of Oakland

IF THE APPLICANT IS NOT THE OWNER OF RECORD, A LETTER OF AUTHORITY (NOTARIZED) OR POWER OF ATTORNEY MUST BE INCLUDED AS PART OF THIS APPLICATION. COPIES ATTACHED: YES ___ NO ___

The applicant should provide written comment on the following:
An applicant for appeal shall be based on a claim that the true intent of the building code or its rules legally adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or the requirements of the code are adequately satisfied by other means.

Request a Tuesday Not Labor Day

SCOPE AND ADMINISTRATION

sions of this code or other laws that are enforced by the department of building safety, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the *building official*.
7. The edition of the code under which the *permit* was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design *occupant load*.
11. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building *permit*.

111.3 Temporary occupancy. The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

111.4 Revocation. The *building official* is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 112 SERVICE UTILITIES

112.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a *permit* is required, until released by the *building official*.

112.2 Temporary connection. The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

112.3 Authority to disconnect service utilities. The *building official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such util-

ity connection has been made without the approval required by Section 112.1 or 112.2. The *building official* shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 113 BOARD OF APPEALS

113.1 Means of appeal. An interested person may appeal a decision of the enforcing agency to the board of appeals in accordance with the act. An application for appeal shall be based on a claim that the true intent of the code or the rules governing construction have been incorrectly interpreted, the provisions of the code do not apply, or an equal or better form of construction is proposed. The decision of a local board of appeals may be appealed to the construction code commission in accordance with the act and time frames.

Exception: Requests for barrier free design exception shall be in accordance with 1966 PA 1, MCL 125.1352 to 125.1356.

R 408.30414

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

113.3 Qualifications. The board of appeals shall consist of members who are qualified in accordance with the act.

R 408.30414

SECTION 114 VIOLATIONS

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

114.2 Notice of violation. The *building official* is authorized to serve a notice of violation or order on the person responsible for the erection, construction, *alteration*, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a *permit* or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

114.4 Violation penalties. It is unlawful for any person, firm, or corporation to violate a provision of the code or fail to conform with any of the requirements thereof, or erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure, or equipment regulated by the code, or cause work to be performed or done, in conflict with or in viola-

FIRE PROTECTION SYSTEMS

[F] **TROUBLE SIGNAL.** A signal initiated by the fire alarm system or device indicative of a fault in a monitored circuit or component.

[F] **VISIBLE ALARM NOTIFICATION APPLIANCE.** A notification appliance that alerts by the sense of sight.

[F] **WET-CHEMICAL EXTINGUISHING SYSTEM.** A solution of water and potassium-carbonate-based chemical, potassium-acetate-based chemical or a combination thereof, forming an extinguishing agent.

[F] **WIRELESS PROTECTION SYSTEM.** A system or a part of a system that can transmit and receive signals without the aid of wire.

[F] **ZONE.** A defined area within the protected premises. A zone can define an area from which a signal can be received, an area to which a signal can be sent or an area in which a form of control can be executed.

[F] **ZONE, NOTIFICATION.** An area within a building or facility covered by notification appliances which are activated simultaneously.

SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

[F] **903.1 General.** Automatic sprinkler systems shall comply with this section.

[F] **903.1.1 Alternative protection.** Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the fire code official.

[F] **903.2 Where required.** Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12.

Exception: Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour fire barriers constructed in accordance with Section 707 or not less than 2-hour horizontal assemblies constructed in accordance with Section 712, or both.

[F] **903.2.1 Group A.** An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3 and A-4 occupancies, the automatic sprinkler system shall be provided throughout the floor area where the Group A-1, A-2, A-3 or A-4 occupancy is located, and in all floors from the Group A occupancy to, and including, the nearest level of exit discharge serving the Group A occupancy. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

[F] **903.2.1.1 Group A-1.** An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1115 m²);
2. The fire area has an occupant load of 300 or more;
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies; or
4. The fire area contains a multitheater complex.

[F] **903.2.1.2 Group A-2.** An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464.5 m²);
2. The fire area has an occupant load of 100 or more or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

[F] **903.2.1.3 Group A-3.** An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1115 m²);
2. The fire area has an occupant load of 300 or more or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

[F] **903.2.1.4 Group A-4.** An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1115 m²);
2. The fire area has an occupant load of 300 or more or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

[F] **903.2.1.5 Group A-5.** An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas in excess of 1,000 square feet (93 m²).

[F] **903.2.2 Group B ambulatory health care facilities.** An automatic sprinkler system shall be installed throughout all fire areas containing a Group B ambulatory health care facility occupancy when either of the following conditions exists at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients who are incapable of self-preservation are located at other than the level of exit discharge serving such an occupancy.