

MINUTES OF THE REGULAR MEETING OF THE CONSTRUCTION BOARD
OF ADJUSTMENTS AND APPEALS HELD ON OCTOBER 21, 2008 IN
THE BUILDING INSPECTION CONFERENCE ROOM

MEMBERS PRESENT: Andrew Corriveau, Chairman; Don Dean, John Tuckwiller and Bruce Kline were present. John Catoe, Herbert Brown, and Dan'l Moulton were absent.

STAFF PRESENT: Arthur Cummings, Keith Griffin and Marjorie Arnold were present.

1. DAVID WILLIAMS – REQUESTING A VARIANCE FROM SECTION R333.5.8 2003 INTERNATIONAL RESIDENTIAL CODE: Arthur Cummings stated that Mr. Williams is building an addition onto his house and has a problem with a set of stairs. He stated that Keith Griffin was the inspector on this job.

Keith Griffin stated that at the insulation inspection there was no stairs there. He said when they called for certificate of occupancy was the first time he had seen the spiral staircase and it didn't meet code. He said the width and headroom height was the main issue. Mr. Griffin passed out pictures of the staircase. He said the code reads that there is a minimum width of 26 inches from the center pipe to the tread they are connected to the outside of the handrail. He said this staircase is 18 ½ or 19 inches. He stated the other thing is the code reads the minimum headroom height of 6'6" shall be provided and the pictures show 6'4". Mr. Griffin stated that the room is going to be a computer room. He said the staircase is the only way up and down, but there is an egress window upstairs.

Mr. Williams stated that he had dealt with five different contractors. He said when applying for the original addition on the house it was going to be a sunroom and a workout room. He stated that when they got started everything was going fine, then the contractor told them they had to change the pitch of the roof and now you have an 18' x 16' room upstairs that is going to be empty and suggested making it into a reading room or study. He said the contractor convinced them it would be better to do this now than later and if you put a standard staircase along the side

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of the wall that would eat up the whole room and he suggested a spiral staircase. Mr. Williams stated that the contractor ordered the wrong staircase and he got in touch with the staircase company and got the correct one. He said they finally got the staircase after eight weeks and the contractor put it up. He said when Keith Griffin came out and looked at it then his contractor left the job and never returned. Mr. Williams stated that to take this staircase out and replace it will cost him an exorbitant amount of money. He said he does have a NFPA approved emergency ladder to go out the second story window in case of a fire.

Mr. Williams stated that Van Cleve did his original drawings which were for the two rooms downstairs. He said it was when they came up with the idea to do upstairs that there was a problem.

The chairman asked if Van Cleve was an architect.

Arthur Cummings stated that he is not an architect, but he is in construction and was at one time a Plan Examiner.

Keith Griffin stated that all they had was a vague drawing or sketch from the contractor.

Mr. Williams stated that originally this was going to be attic storage which could be accessed through the garage attic.

The chairman asked if he could consider an outside stairway.

Mr. Williams stated that an outside stairway would be tremendous and he would lose windows on the back that make it a sunroom.

Don Dean asked if there is no door leading outside. Keith Griffin stated that the spiral staircase is the only way up.

John Tuckwiller stated that with most houses with a second floor there is only one stairwell and the fire department recommends everyone have a ladder to egress in case the stairwell is on fire.

Arthur Cummings stated that the code calls for an emergency egress window. He said it also requires code compliant stairs to and from the area. He said if this was attic space it could be treated the same way with a set of pull down stairs; but since he finished this area off with a bathroom this requires code compliant staircase.

The chairman asked Bruce Kline from a fire standpoint how this affects the ability to fight a fire. Bruce Kline stated that they would not be able to go up the staircase with all the gear they have to wear. Mr. Kline stated that one of his fears if the home is sold and someone uses it as a bedroom for children.

The chairman stated that he has an issue with the fire safety and other people may be living there in the future; there is an expense to build another set of stairs outside and no way to do it inside.

Mr. Williams stated that rather than build the staircase outside and lose the windows in the sunroom he might as well tear it down.

Arthur Cummings asked if it would be possible to build a small 3 x 3 deck with a set of open stairs with a handrail up to the window just for emergency purposes and not lose the window.

Mr. Williams asked what would be the difference the emergency ladder that hangs out the window. Bruce Kline stated that it would be deployed from the inside out.

MOTION: JOHN TUCKWILLER MADE A MOTION TO ALLOW THE SPIRAL STAIRCASE AS LONG AS THE EMERGENCY EGRESS IS KEPT BECAUSE IT MEETS THE INTENT OF THE CODE. BRUCE KLINE SECONDED THE MOTION FOR DISCUSSION. FOR: JOHN TUCKWILLER AND DON DEAN. AGAINST: ANDREW CORRIVEAU. ABSTAIN: BRUCE KLINE. THE MOTION FAILED.

WANDA R HOLMES: REQUESTING A VARIANCE FROM THE TIE DOWN REQUIREMENT IN THE HIGH WIND ZONE II. Arthur Cummings stated that Mrs. Holmes is trying to place a manufactured home in the county which was donated to her after a fire. He said the mobile home which was donated is presently located on Laurel Bay and the federal government facilities are not in our jurisdiction and we have no records to indicate the wind zone. He stated that any home built after 1994 has to be labeled wind zone II which meets the wind speed requirements for this region. He said this is a wind zone I home that was donated to her and Mrs. Holmes is having a rough time. Steven Seng, the individual trying to set up this home asked what could be done to help her. Mr. Cummings told him if he could get someone to modify the unit to meet the requirements such as the manufacturer. He said the manufacturer did not want to get involved with that so they referred Steven Seng to Tie Down Engineering and they are actually the company that provide a lot of the anchor and tie down for manufactured homes in this area. Mr. Cummings stated that Mr. Seng spoke with one of the engineers and they could give the specifications in order to modify this unit so it would meet the wind requirement. Mr. Cummings stated that the problem this is a modification being done in the field without the proper labeling and cannot be done without a variance from the Board.

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Wanda Holmes stated that on July 24, 2008 she lost her home before she and her family could move into the home. She said they were set up to get an inspection the following morning but for some reason her home caught on fire at 1:00 am in the morning. She said Ms. Housey; the present owner of the home called her and stated that she wanted to donate her home being that they lost everything. She said she presented this to Steven Seng and he told her to talk with Mr. Cummings. She said the home is a 1995 home and it doesn't meet the wind zone II requirements.

John Tuckwiller asked if the issue is not the structure of the house but the method of tying it down and securing it to the ground.

Mr. Cummings stated that the engineer with the company stated that the difference between zone I and I, the structure is basically the same but the anchoring is different. He said they plan to use the anchoring specs for zone III rather than II and anchor according to the specs provided to the Board.

The chairman asked if Tie Down Engineering gave her some specifications as how to field modify the home to have the wind zone III. Ms. Holmes stated that according to the diagram provided the spacing is the key. She said they don't have any specific instructions, but Steven Seng told her that he knew how to do this because he had been doing this for a number of years.

The chairman asked if the Board could get written instructions as to how they think this unit should be field modified to what is required.

Arthur Cummings stated that this is a very tough situation because if she doesn't get this home she has no where to live, but don't want to have everyone getting a zone I home saying all they need to do is get these specs and tie it down. He said there was a lot of effort put forth in this and had even suggested, but was very costly was have a structural engineer get involved. He said this seems like a special case where she was about to get into a home and it burned down the night before and the people are willing to donate the home to her.

The chairman stated that he doesn't have a problem giving a variance but the Board needs to document the records and can't set a precedent that this is a published chart and if you meet the requirements you automatically get the variance; but get something from Tie Down Engineering how this particular unit should be modified. He said they would not need to come out and verify this but let the Building Inspections Department follow the instructions that the house is set up based on the instructions.

Arthur Cummings asked if he could get a letter from Tie Down Engineering, not specific to this unit, given the size of the unit if it is tied down according to these specs that it meets the requirement.

MOTION: DON DEAN MADE A MOTION TO APPROVE THE VARIANCE IF THIS PARTICULAR MOBILE HOME IS TIED DOWN BASED ON SPECS WHICH TIE DOWN ENGINEERING SAYS MEETS WIND ZONE III REQUIREMENT. BRUCE KLINE SECONDED THE MOTION. FOR: BRUCE KLINE, DON DEAN AND JOHN TUCKWILLER. ABSTAIN: ANDREW CORRIVEAU. THE MOTION WAS PASSED.

Mr. Cummings asked if he had to get a letter from Tie Down Engineering.

Don Dean said that the information given by Tie Down Engineering states that the proper way to tie down the manufactured home for wind zone III and no letter would be required.

Arthur Cummings stated that an inspector would verify that it is tied down by the anchor spacing requirements given to us from Tie Down Engineering.

2. **MINUTES:** The minutes of the June 24, 2008 and July 1, 2008 were approved with one correction on page 3, paragraph 3 needed to state "Bruce Kline stated that from a fire standpoint, it is a matter of which house the fire will be stopped at.

4. **NEW BUSINESS:** Arthur Cummings gave the Board members a copy of Conflict of Interest form to be completed on an annual basis. Two of our Board members' terms expire February 2009, John Tuckwiller and Dan'l Moulton and they will need to submit a letter requesting to be reappointed to the Board.

There being no further business the meeting adjourned.

Andrew Corriveau, Chairman