

CITY OF PORTAGE CONSTRUCTION BOARD OF APPEALS

Minutes of Meeting – October 6, 2008

The City of Portage Construction Board of Appeals meeting of October 6, 2008 was called to order at 5:00 p.m. in Conference Room One of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan.

MEMBERS PRESENT:

Thomas Wilkinson, Lawrence Schmidt, Bill Miller, William Koopsen, William Leach, Brett Grossman and John Kounelis.

MEMBERS ABSENT:

None

MEMBERS EXCUSED:

None

IN ATTENDANCE:

Terry Novak, Deputy Director of Building Services and Mike Beery Building Inspector.

APPROVAL OF MINUTES:

The minutes of December 10, 2007 and September 29, 2008 were approved.

BOARD ACTION:

2918 East Shore Drive – Interpretation/Variance request for exterior door landings – Section R311.4.3 of the 2003 State of Michigan Residential Code.

Deputy Director Novak provided a brief history of the house renovation project including the amount of time the project has encompassed. The Board was advised that a temporary Certificate of Occupancy was issued for the project on November 5, 2007 allowing the VanderRoests to move into their house with the condition that the remaining items be completed by June 30, 2008. Progress on the house continued, however, not all of the remaining items were completed by June 30, 2008 and an extension until August 1, 2008 for the remaining items was given. On August 5, 2008 civil infraction tickets were issued to Mr. Jerry VanderRoest for non-completion of the remaining items, which included providing exterior door landings for the sliding glass doors located on the lakeside of the house. Building Inspector Mike Beery advised the Board of the requirements of the 2003 State of Michigan Residential Code regarding landings for exterior doors. Mr. VanderRoest informed the Board of the difficulties he experienced in the project and the lack of funding needed to build the lakeside decks that were to serve as the exterior landings for the sliding glass doors. Mr. VanderRoest advised that the sliding glass doors had interior guardrails installed to prevent passage, and in his opinion, met the intent of the code. There was discussion about securing the doors to remain closed, however, some of the doors were required to be operational to meet emergency egress life-safety requirements. William and Carol Saye, 2924 East Shore Drive introduced themselves as neighbors of the VanderRoests and advised

the Board that they were concerned because they had witnessed teenagers hanging out of the upper level sliding glass doors. Member Miller indicated that a tremendous liability might be assumed by the city if the required exterior door landings were not installed as required by the code. Member Schmidt advised Mr. VanderRoest that a potential option would be to install smaller decks to serve as the exterior landings for the doors. Deputy Director Novak indicated to Mr. VanderRoest that if he did modify the original approved plans for the project staff would work with him to ensure the revised plans met the required setbacks and building code standards.

After further discussion between the Board, staff and Mr. VanderRoest, a motion was made by Member Koopsen and seconded by Member Leach to deny the requested interpretation/variance and require that the exterior door landings be provided for the sliding glass doors located on the lakeside of the house. The motion passed unanimously.

ADJOURNMENT:

The Board meeting adjourned at 5:50 p.m.

Respectfully Submitted,

Terry A. Novak,
Deputy Director of Building Services