

Board of Appeals 2017 Annual Report

PURPOSE

The Board of Appeals is a statutorily created board. The amendment to Section 112 of the International Building Code states:

112.1 and R112.1. General. In order to hear and decide appeals or orders, decisions or determinations made by the building official relative to the application and interpretation of this code, and to determine the suitability of alternate materials and methods of construction, there shall be and is created a board of appeals consisting of members who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex-officio member of and shall act as secretary to such board, but shall have no vote on any matter before the board. The board of appeals shall consist of five members. Each member shall be appointed for a term of five years. The successors shall be appointed upon the expiration of the respective terms to serve five years. A vacancy shall be filled by the mayor with the concurrence of the city council for the unexpired term of any member who resigns or is replaced. The board of appeals shall elect a chairperson and vice-chairperson from its members. They shall adopt rules of procedure for conducting the business of the board of appeals, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

112.2 and R112.2. Limitations of authority. The board of appeals shall have no authority relative to the interpretation of the administrative provisions of this code, nor shall the board be empowered to waive requirements of this code that pertain to or affect life safety.

The Board of Appeals also performs these same functions for the International Fire Code and the Fire Marshall.

PROGRAMS AND SERVICES

The Board of Appeals meets on call and generally renders an immediate decision after hearing all of the information presented.

MEMBERSHIP

The members of the Board of Appeals during 2017 were as follows:

David Ekern - Plumber

Spencer Hawley – Insurance Agent

Paul Sahr - Contractor

Jonathan Meendering – Architect

George Houtman - Contractor

PERFORMANCE MEASUREMENT

During 2017, one meeting was held at the City & County Government Center with the following discussion:

February 3, 2017: The Board of Appeals met at 1:00 P.M. for one citizen variance request and code amendments.

Citizen Request:

The citizen request was to allow for a variance from the Step Rise Height, the Step Run Depth and the Head Room Height. The property owners of 719 8th Street completed a remodel project that included lifting the house and replacing the foundation. The previous ceiling height was low, so they elected to put the basement 2 feet deeper for more headroom. However, they were struggling with meeting the building code for the stairs leading to the basement. The Board agreed to grant the variance and approve an 8" rise and a 9" run to the stairs (plus 1" toe kick to result in a 10" tread) with a minimum 6' headroom height.

Code Amendment:

The 2015 IRC and IBC require that detached accessory buildings exceeding 600 square feet have frost protected footings. However, the City zoning ordinance allows residential accessory buildings, up to 1,000 square feet, to be built without frost-protected footings. The committee agreed to amend the code to allow freestanding accessory structures of 1,000 square feet or less to be constructed without frost protection instead of the 600 square feet as stated in the code.

The committee also discussed structures that had been constructed in Brookings with frost protected shallow foundations. The 2015 IRC, Section 403.3 diagram and requirements described how to construct a frost-protected shallow foundation. The committee was concerned about the temperature requirements in the code and that homeowners/future homeowners wouldn't be aware of this requirement. The committee recommended to amend the code and require that all frost-protected shallow foundations be designed under ASCE 32 guidelines.

Action:

The City Council adopted the above code amendments with Ordinance No. 17-006. This meeting resulted in a total of eight hours of volunteer time.

EXPENDITURE REPORT

No funds were expended for the operation of the Board of Appeals in 2017.

GOALS AND OBJECTIVES FOR 2018

- Meet on call within seven (7) days of a request for a meeting by the City Engineering Department or Fire Chief.
- Review possible amendments to the Building Codes.

UNMET NEEDS

None