

The City of Brookings Board of Appeals was called to order by Vice-Chairperson Jonathan Meendering on Friday, February 3, 2017, at 1:00 PM in conference room #147 located on the first floor of the City & County Government Center at 520 3rd Street. Members present were David Ekern, Paul Sahr, George Houtman, and Meendering. Also present were Building Services Administrator Jared Thomas, Building Services Technician Greg Pearson, City Engineer Jackie Lanning, and Brennan and Laurie Sullivan.

Item #2 – (Houtman/Ekern) Approval of the Agenda. All present voted aye. **MOTION CARRIED.**

Item #3 – (Sahr/Houtman) Motion to approve the minutes from the October 29, 2015 meeting. All present voted aye. **MOTION CARRIED.**

New Business

Item #4 – Election of Chairperson and Vice-Chairperson

(Meendering/Ekern) Motion to elect Houtman as Chairperson. All present voted aye. **MOTION CARRIED.**

(Houtman/Ekern) Motion to reelect Meendering as Vice Chairperson. All present voted aye. **MOTION CARRIED.**

Item #5 – Sullivan Variance Request

Laurie Sullivan explained that they are completing a remodel project at 719 8th Street, which included lifting the house and replacing the foundation. The previous ceiling height was low, so they elected to put the new basement 2 feet deeper for more headroom. The additional 2 feet helped with the code issue they were having with the headroom, but no matter which option they tried, they were still struggling with meeting the code for the stairs to the basement. Laurie stated that they used different types of joists and I-beams to try to get the project in compliance. Laurie explained that they had received verbal agreement from previous City staff that they could go ahead with the project.

Laurie has been working with her contractor in designing different options for the basement stairs. The best option they found was having the step rise of 8 3/16” and a run of 9”. This would result in a head room of 6’6” and the code is 6’8”.

Meendering questioned if the 2015 IRC had a section regarding existing structures. Thomas stated it did, but in his determination, this basement was all new so therefore the City was treating it as new construction. Meendering stated he viewed this project as fitting the existing building code based on his experience and that was the code they should be following. Houtman wondered if a different size HVAC unit would have improved the head room or

stairs, such as a unit with different dimensions. Laurie stated a change in the duct work would not have made a enough of a difference. Sahr stated that in his opinion, the size of the steps was a bigger concern than the headroom issue. The code stated 10" is required for the step run. Laurie noted that they could add a toe kick to get to the 10" for the run, although the rise in the stairs was about a ½" higher than allowed by code. Houtman stated that you cannot allow the improvements to worsen a situation and the Sullivans were trying to improve the situation with the headroom and stairs. Houtman said if they dropped the rise to 8" on the stairs, it would allow 2 more inches of head room resulting is 6'4" of head room.

(Houtman/Ekern) Motion to approve an 8" rise and a 9" run (plus 1" toe kick to result in a 10" tread) with a minimum 6' headroom height, and in addition, the Sullivans needed to talk with their HVAC supplier about possibly changing the dimensions of the duct to improve the head room height. All present voted aye. **MOTION CARRIED.**

Item #6 – Discussion and Action on Frost Protection of Free Standing Buildings

Thomas explained that detached accessory buildings exceeding 600 square feet requires frost protection under the 2015 IRC and IBC. However, the City zoning ordinance allows residential accessory buildings up to 1,000 square feet, which have been built without frost protected footings in some locations in Brookings. Thomas would like these two requirements to be the same since the zoning ordinance allows accessory buildings such as a detached garage up to 1,000 square feet. Houtman stated that a 1000 square foot accessory building should have frost-protected footings, but since there are 1,000 square feet accessory buildings that are constructed without frost-protected footings that don't seem to have heaving issues, the City could let the buildings be constructed in the same way.

There was some discussion about whether or not to amend the IBC to allow 1,000 square foot commercial buildings to be constructed without frost protected footings. Thomas explained that in his opinion, that only the IRC should be amended to the 1000 square foot exception. The group was in agreement not to amend the IBC for commercial buildings.

(Houtman/Sahr) – Motion to Amend the 2015 IRC code to allow freestanding accessory structures of 1000 sf or less to be built without frost protection instead of 600 square feet as stated in the code. All present voted aye. **MOTION CARRIED.**

Item #7 – Discussion and Action on Residential Shallow Foundations

Thomas explained that there have been a couple houses built in the last year with frost-protected shallow foundations. The City building department is requiring the contractors to follow the diagram and requirements that are shown in the 2015 IRC, Section 403.3 if they want to construct frost-protected shallow foundations. Houtman was concerned about the 64 degree requirement that is in the code. He stated the requirement was going to be hard to enforce and if the garage wasn't kept at that temperature, there could be separation in the foundation between the house and garage. Houtman also asked if the soil compaction was being completed on these sites. There may be compaction taking place, but the City does not have the compaction reports.

Sahr was concerned about the code and the safety factor. He stated he did not think that engineering and soil testing had been done. He was concerned that the temperature requirements were not going to be explained to future homeowners. He stated even if the temperature requirements were explained to the new owner, would people do the work of keeping the building at the proper temperature. Thomas stated that it was not the responsibility of City staff to make sure the homeowners were doing the work to keep the garage maintained at the proper temperature.

Houtman stated he was also concerned about the work leading up to the foundation and if the soil compaction tests were being completed.

Meendering stated that the foundation section in the code was really more about the soil compaction and testing before the foundation was constructed. Thomas explained that one option could be to require builders to have the building engineered and not follow the diagram in the code.

(Ekern/Sahr) Motion to remove item 2 of section 403.1.4.1 of the IRC, which states “constructed in accordance with Section R403.3.” which would require all frost-protected shallow foundations to be designed under ASCE 32 guidelines as it is stated in item 3 of 403.1.4.1. All present voted aye. **MOTION CARRIED.**

The meeting was adjourned.

Submitted by:
Lana Schwartz, Office Manager