



CITY OF URBANA
Property Maintenance Code Board of Appeals

Notice of Meeting

DATE: April 7, 2010

TIME: 4:00 P.M.

PLACE: ***Community Development Conference Room***
City Building
400 South Vine Street
Urbana, Illinois 61801
217/384-2443

AGENDA

- I Call to Order
- II Old Business
- III New Business
 - PMCBA-10-V-02;
1502 E. Briarcliff Dr.; 92-21-16-452-009;
Margaret Harvey, Owner
- IV Other
- V Adjournment

**CITY OF URBANA
PROPERTY MAINTENANCE CODE BOARD OF APPEALS
WEDNESDAY, March 3, 2010**

MEMBERS PRESENT:

Don Keeler, Kevin Fahey, Tom Welch and Gary Stebbins

MEMBERS ABSENT:

Dick Halberstadt

STAFF PRESENT:

Clay Baier, Stephen Chrisman and Vivian Petrotte

OTHERS PRESENT:

Don Allen, contractor and Dan Snyder, owner's representative

CALL TO ORDER:

The meeting was called to order by Gary Stebbins at 4:03 p.m.

APPROVAL OF MINUTES:

Gary Stebbins asked for a motion to approve the minutes of the meeting held Wednesday, August 6, 2008. Tom Welch made the motion to approve the minutes and Kevin Fahey seconded the motion. All agreed and the minutes were approved with no changes.

OLD BUSINESS:

There was no old business to discuss

NEW BUSINESS:

The case to be heard was PMCBA-10-V-01, 709½ S. Vine St. owned by Carol Snyder. Mr. Stebbins said that the request was for a variance in ceiling height in the basement. Mr. Stebbins asked Mr. Baier to state the city's position on this. Mr. Baier said that the house was built in 1933 and the current owner purchased it approximately 30 years ago. During a systematic inspection, a bathroom and bedroom with ceilings too low and no egress windows was discovered. The owners agreed to immediately relocate the bedroom to the first floor, which they have done. The problem is the stairs, which have a five foot headbanger on the ceiling. If the stairway ceiling height could be corrected to a minimum 6'8" clearance per the 2003 Fire Code, the city would recommend the variance for the bathroom ceiling height be granted.

Mr. Fahey asked if this was at the lower end of the stairs and Mr. Baier stated that it was.

Mr. Allen has stated that he can remove the floor in the closet directly above the staircase which would give a clear path of travel with a minimum of 6'8" down the stairs which would take care of any egress requirements as far as fire code goes. The problem is that the ceiling height in the basement and bathroom is only 6'4". There is no room for a bathroom upstairs so what's before us is that they are asking for a variance for the use of the bathroom in the basement with a ceiling height of 6'4" for the life of the building.

Gary asked for any discussion:

Mr. Fahey stated that if the stair headroom is taken care of, there is really not anything that can be done besides jacking the house up to get anymore existing headroom, which would be undue hardship.

Mr. Allen stated that it is an old double wide brick foundation and the weight of the structure sitting on the foundation maintains the integrity of the foundation. Raise it up and have the pressures of the outside soil would really harm it.

Clay said that the code requirement is 6'10" for the bathroom.

Mr. Fahey said since there were no sleeping quarters in the basement and given the age of the house, the real problems in trying to maintain or gain any headroom, he would move that we grant the variance.

Gary Stebbins seconded the motion as long as it is contingent on the head room on the staircase being corrected and the basement not being used as a sleeping area.

An explanation was given as to how this would be recorded with the property after the basement stair headroom was modified and it would state the variance was granted contingent on the basement not being used as a sleeping area.

Mr. Baier stated that we would be having a meeting next month. Mr. Stebbins noted that the date would be April 7.

Mr. Keeler stated that this would be his last term. He wasn't sure of the exact date his term ended but that he would not serve another one. He has many health problems and is 83. He will be attending the meeting in April. Mr. Stebbins said he would be hard to replace

ADJOURNMENT:

Mr. Stebbins said that if there were no other items to discuss, he moved that we adjourn. Mr. Fahey seconded and all agreed. The meeting was adjourned at 4:14 p.m.

Respectfully submitted,

Approved:

Vivian Petrotte

Don Keeler, Secretary



DEPT. OF COMMUNITY DEVELOPMENT SERVICES

Building Safety Division

m e m o r a n d u m

TO: Property Maintenance Code Board of Appeals

FROM: Clay R. Baier, Housing Inspector

DATE: March 5, 2010

SUBJECT: PMCBA-10-V-02; 1502 Briarcliff Dr.
Margaret K. Harvey-c/o Edward W. Harvey, owner (attorney in fact)
PI: 92-21-16-432-009

BACKGROUND

This one story single family residence was constructed in the early 1960's. The Harvey family purchased this home in 1964. The property has been owner occupied since that time.

SITUATION

The owners have decided to sell this house. There are currently two bedrooms located on the ground level floor. The owners would like to add two bedrooms in the basement as they believe this will increase the marketability of the house. A housing inspector conducted a courtesy inspection at the request of the owners on February 4, 2010. Upon inspection, the following violations were discovered:

1. The two rooms in the basement are lacking emergency egress requirements if they are to be used as sleeping rooms, (PM-702.9, 702.9.1 and 702.9.2).
2. The two rooms in the basement are lacking an adequate number of duplex receptacles to be used as habitable space, (PM-605.2)
3. The structural support beam extending through the center of the house has a headroom clearance of 6'5" (PM-440.3).
4. The headroom clearance at the bottom basement step is 5'9" (PM-702.1).

The owner has agreed to add the secondary means of egress as indicated in item number one.

The owner has agreed to wire the two bedrooms to meet the City of Urbana's electrical code as indicated in item number two.

The applicable code Section cited reads as follows:

PM-404.3 Minimum Ceiling Heights: Habitable spaces, other than kitchens, shall have a clear ceiling height of not less than seven feet. Hallways, corridors, laundry areas, bathrooms, toilet rooms, and kitchens shall have clear ceiling height of not less than six feet ten inches.

Exceptions:

1. Beams or girders spaced not less than four feet on center and projecting not more than four inches below the required ceiling height, provided the minimum clear height is not less than six feet eight inches.
2. In attics and top half-stories, the ceiling height shall not be less than seven feet over not less than one-third of the minimum area required by this code when used for sleeping, study, or similar activity. In calculating the floor area in such rooms, only those portions of the floor area of the room having a clear ceiling height of five feet or more shall be included.
3. Basement rooms in one and two family dwellings used exclusively for laundry, study, or recreational purposes having a ceiling height of not less than six feet eight inches with not less than six feet four inches of clear height under beams, girders, ducts, and similar obstructions.

PM-702.1 General Means of Egress: A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the *International Fire Code*.

QUESTION BEFORE THE BOARD

May a variance be granted to allow the stairs leading to the basement with a headroom clearance of 5'9" at the bottom step to be used for the life of the building which will provide access to the two sleeping rooms in the basement.

May a variance be granted to allow the one room in the basement to be used as a bedroom with a headroom clearance of 6'5" at the steel beam, which is continuous down the center of the house.

CRB:vpp

CITY OF URBANA
UNIFORM VARIANCE APPLICATION

To: Chairperson
Board of Appeals
400 S. Vine St.
Urbana, IL 61801

Building Safety Code Board of Appeals
 Property Maintenance Code Board of Appeals

DO NOT WRITE IN THIS SPACE -- FOR OFFICE USE ONLY

Date Filed: 2/19/10 Variance Application No. 10-V-2

Date Set for Hearing: 4.7.10 Date Hearing Held: _____

Notice to News Media: _____ Date: _____

Fee Paid -- Receipt No.: _____ Amount: \$ 150.00 Date: _____

COMMENTS: (Indicate other actions such as continuances) _____

Action by Board on Request for Variance:

(granted, denied, other)

DATA ON APPLICANT AND OWNER

Name of Applicant(s): MARGARET K. HARVEY c/o EDWARD W. HARVEY
ATTORNEY-IN-FACT

Address of Applicant(s): 2810 N. 1ST ST. DEKALB, IL. 60115

Property Interest of Applicant(s): OWNER
(owner, contract purchaser, etc.)

Name of Owner(s): MARGARET K. HARVEY

Address of Owner(s): 1502 BRIARCLIFF, URBANA

✓ VARIANCE REQUESTED

Date of Request: 2/19/10

Type of Variance Requested: HEAD height at bottom of basement stair AND AT ENTRANCE
TO BASEMENT NW. BEDROOM

Address of Property: 1502 BRIARCLIFF, Urbana, IL 61801
(street address)

Legal Description: Attached
(attach if necessary)

Present Use: VACANT/RESIDENCE Proposed Use: RESIDENCE
(vacant, residence, store, factory, etc.)

REASONS FOR VARIANCE REQUEST

Note: The following questions must be answered completely. **If additional space is necessary, please attach extra pages to application.**

1. What types of modifications would allow you a reasonable use of your building?
Change in requirement for:

- Window Area Drainage Means of Egress
- Ventilation Ceiling Height Other _____

2. Describe the current situation, giving dimensions where appropriate.

① STAIR TO MASSEMEN CURRENTLY 5'9" @ 1ST STEP due TO TRUNKLINE AND BEAM

② HEAD HEIGHT @ ENTRANCE TO N.W. ^{BASEMENT} BED ROOM = 6'5" due TO BEAM

3. What conditions restrict you from meeting code requirements?

① MAIN HEATING TRUNKLINE, ② COLD AIR TRUNKLINE, ③ 1ST FLOOR
SUPPORT BEAM

4. To the best of your knowledge, can you affirm that the situation described above was not created by yourself or a previous property owner by not getting proper authorization or obtaining permits to do work after the code became law?

YES NO

no changes have been made to this AREA SINCE
home WAS purchased in 1964

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**PREVIOUS ACTIONS BY APPLICANT ON PROPERTY**

Yes     No    Have you ever filed an application for variance for this property in the past?

Granted     Denied    What action did the Board take on that request?

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Wherefore, petitioner prays that this petition be heard by the Board of Appeals and the variance to the regulations of the code be made as herein requested.

Respectfully submitted this 19th day of February, A.D., 2010.

Margaret K. Harvey by Edward W. Harvey 847-909-9051 - cell
Applicant Phone 815-517-1505 - home

To be filed with: PMCBA Secretary
Community Development Services
400 S. Vine St., Urbana, IL 61801





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