

**CITY OF MANISTEE  
BOARD OF APPEALS**

City Hall  
70 Maple Street  
Manistee, MI 49660

A meeting of the City of Manistee Board of Appeals was held on Thursday, October 22, 1998 in the Council Chambers, 70 Maple Street, Manistee, Michigan.

**AGENDA**

- I. Roll Call
  
- II. Matters Pertaining to the General Citizenry:
  - A. Hearing:
    - 1. Shipwatch Condominiums Phase II
    - 2.
  - B. Questions, Concerns of Citizens in Attendance:
    - 1.
    - 2.
  
- III Business Session:
  - A. Approval of Minutes (9/29/98 ZBA)
  - B. Unfinished Business:
    - 1. Shipwatch Condominiums Phase II
    - 2.
  - B. Other Business:
    - 1.
    - 2.
  
- IV. Adjournment

cc: Board of Appeals Members  
Lori Donnan, Administrative Assistant  
Jon R. Rose, Community Development Officer  
Julie A. Beardslee, City Assessor  
R. Ben Bifoss, City Manager  
Bruce Gockerman, City Attorney

# CITY OF MANISTEE

## MEMORANDUM

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TO: Board of Appeals Members

FROM: Jon R. Rose  
Community Development Officer

DATE: October 13, 1998

RE: Board of Appeals Meeting Thursday, October 22, 1998

We will have a Board of Appeals meeting on Thursday, October 22, 1998 at 5:30 p.m. in the Council Chambers. This meeting is being held in response to a request from Kendra Thompson. Ms. Thompson is the Architect for Shipwatch Condominium Phase II.

Ms. Thompson is requesting an exception to BOCA Section 310.5 Use Group R-3 structures. Exception to the requirement for an independent means of egress for each dwelling unit. Ms. Thompson proposes to provide three separate but shared means of egress from each dwelling unit. A copy of her request and section 310.5 Use Group R-3 structures is enclosed for your review.

If there are any questions or you are unable to attend the meeting please call me at 723-2558. See you there!

JRR:djm

Enclosures

Kendra C. Thompson Architects, P.C.  
304 Oak Street  
Manistee, Michigan  
616.723.4195

09 October 1998

Mr. John Kiefer  
City of Manistee Building Inspector  
Nordlund & Associates, Inc.  
267 River Street  
Manistee, MI 49660

RE:           **Shipwatch Condominium Development**  
                  Phase II  
                  Manistee, MI

JOB NO:       9816

Dear John:

The purpose of this letter is to hereby request a construction code variance be granted for the aforementioned project.

The variance being requested is as follows:

Section 310.5 Use Group R-3 structures

To not require each dwelling unit to have a means of egress from the unit to grade which does not require traversing any egress element serving another unit.

The following points offer support for the requested variance action:

1.       A 2-hour fire-separation floor assembly will be constructed.
2.       A 2-hour fire separation party wall assembly will be constructed.
3.       The lower four units have a direct exit access.
4.       Each of the first and second floor dwelling units (4 each level) have access to three separate exit ways:
  - a.       North entry door/stair
  - b.       South patio door to balcony to east stair
  - c.       South patio door to balcony to west stair
5.       Providing each dwelling unit with the ability to utilize three separate means of egress is, in our opinion, providing better life safety opportunities than constructing only one independent means of egress from each dwelling unit.

**310.3 Use Group R-1 structures:** This use group shall include all *hotels, motels, boarding houses* and similar buildings arranged for shelter and sleeping accommodations and in which the occupants are primarily transient in nature, occupying the facilities for a period of less than 30 days.

**310.4 Use Group R-2 structures:** This use group shall include all *multiple-family dwellings* having more than two *dwelling units*, except as provided for in Section 310.5 for *multiple single-family dwelling units*, and shall also include all *boarding houses* and similar buildings arranged for shelter and sleeping accommodations in which the occupants are primarily not transient in nature.

**310.4.1 Dormitories:** A *dormitory* facility which accommodates more than five persons more than 2½ years of age shall be classified as Use Group R-2.

**310.5 Use Group R-3 structures:** This use group shall include all buildings arranged for occupancy as *one- or two-family dwelling units*, including not more than five lodgers or boarders per family and *multiple single-family dwellings* where each unit has an independent *means of egress* and is separated by a 2-hour *fire separation assembly* (see Section 709.0).

**Exceptions**

1. In *multiple single-family dwellings* that are equipped throughout with an approved *automatic sprinkler system* installed in accordance with Section 906.2.1 or 906.2.2, the fire-resistance rating of the *dwelling unit* separation shall not be less than 1 hour. *Dwelling unit* separation walls shall be constructed as *fire partitions* (see Section 711.0).
2. In *multiple single-family dwellings* that are equipped throughout with an approved *automatic sprinkler system* installed in accordance with Section 906.2.3, a 2-hour *fire separation assembly* shall be provided between each pair of *dwelling units*. The fire-resistance rating between each *dwelling unit* shall not be less than 1 hour and shall be constructed as a *fire partition*.

**310.5.1 Child care facilities:** A child care facility which accommodates five or less children of any age shall be classified as Use Group R-3.

**310.6 Use Group R-4 structures:** This use group shall include all detached *one- or two-family dwellings* not more than three stories in *height*, and the *accessory structures* as indicated in the CABO *One and Two Family Dwelling Code* listed in Chapter 35. All such structures shall be designed in accordance with the CABO *One and Two Family Dwelling Code* listed in Chapter 35 or in accordance with the requirements of this code applicable to Use Group R-3.

**SECTION 311.0 STORAGE USE GROUPS**

**311.1 General:** All structures which are primarily used for the storage of goods, wares or merchandise shall be classified as Use Group S-1 or S-2. This includes, among others, warehouses, storehouses and freight depots. The quantity of *hazardous materials* in storage shall comply with Section 307.8. The term "Use Group S" shall include Use Groups S-1 and S-2.

**311.2 Moderate-hazard storage. Use Group S-1:** Buildings occupied for the storage of moderate-hazard contents which are likely to burn with moderate rapidity, but which do not produce either poisonous gases, fumes or *explosives* including, among others, the materials listed in Table 311.2, shall be classified as Use Group S-1. A motor vehicle repair garage is that portion of a property wherein major repairs, such as engine overhauls, painting or body work, are performed on motorized vehicles.

**Table 311.2  
MODERATE-HAZARD STORAGE OCCUPANCIES**

Bags, cloth, burlap and paper	Livestock shelters
Bamboo and rattan	Lumber yards
Baskets	Motor vehicle repair garages
Belting, canvas and leather	Petroleum warehouses for storage of lubricating oils with a flash point of 200 degrees F. (93.33 degrees C.) or higher
Books and paper in rolls or packs	Photo engraving
Boots and shoes	Public garages (Group 1) and stables
Buttons, including cloth covered, pearl or bone	Silk
Cardboard and cardboard boxes	Soap
Clothing, woolen wearing apparel	Sugar
Cordage	Tobacco, cigars, cigarettes and snuff
Furniture	Upholstering and mattress manufacturing
Furs	Wax candles
Glue, mucilage, paste and size	
Horn and combs, other than celluloid	
Leather, enameling or japanning	
Linoleum	

**311.3 Low-hazard storage. Use Group S-2:** Low-hazard storage occupancies shall include buildings occupied for the storage of noncombustible materials, and of low-hazard wares that do not ordinarily burn rapidly such as products on wood pallets or in paper cartons without significant amounts of combustible wrappings, but with a negligible amount of plastic trim such as knobs, handles or film wrapping. Such occupancies shall be classified as Use Group S-2 including, among others, the materials listed in Table 311.3.

**Table 311.3  
LOW-HAZARD STORAGE OCCUPANCIES**

Asbestos	Gypsum board
Beer or wine up to 12% alcohol in metal, glass or ceramic containers	Inert pigments
Cement in bags	Ivory
Chalk and crayons	Meats
Dairy products in nonwaxed coated paper containers	Metal cabinets
Dry cell batteries	Metal desks with plastic tops and trim
Electrical coils	Metal parts
Electrical motors	Metals
Food products	Mirrors
Foods in noncombustible containers	New empty cans
Fresh fruits and vegetables in nonplastic trays or containers	Oil-filled and other types of distribution transformers
Frozen foods	Open parking structures
Glass	Porcelain and pottery
Glass bottles, empty or filled with noncombustible liquids	Public garages (Group 2)
	Stoves
	Talc and soapstones
	Washers and dryers

**SECTION 312.0 UTILITY AND MISCELLANEOUS USE GROUP**

**312.1 General:** Buildings and structures of an accessory character and miscellaneous structures not classified in any specific use group shall be constructed, equipped and maintained to