



Grand Ledge Construction
Board of Appeals

AGENDA

WEDNESDAY, 29 JANUARY 2025 – 4:00 P.M.

COUNCIL CHAMBERS, CITY HALL

310 GREENWOOD ST., GRAND LEDGE MI 48837

- I. ROLL CALL OF CONSTRUCTION BOARD OF APPEALS** – Gary Cypher, Jack McNamara II, Mike Stevens, Rodney Young

- II. PLEDGE OF ALLEGIANCE**

- III. AUDIENCE PARTICIPATION**


- IV. APPROVAL OF MINUTES**
 - A. Motion** – To approve the Wednesday, 08 January 2025, Construction Board of Appeals minutes.

- V. NEW BUSINESS**
 - A. Appeal** – By the City of Grand Ledge of the Building Official’s decision on and interpretation of Michigan Rehabilitation Code for Existing Buildings Sections 901.2 and 1101.1.

- VI. AUDIENCE PARTICIPATION**

- VII. COMMUNICATIONS FROM BOARD MEMBERS**

- VIII. ADJOURNMENT**



Gregory L. Newman, City Clerk

GRAND LEDGE CONSTRUCTION BOARD OF APPEALS
310 GREENWOOD ST.
GRAND LEDGE MI 48837
(517) 627-2149

CONSTRUCTION BOARD OF APPEALS MINUTES – MEETING
WEDNESDAY, 08 JANUARY 20225 – 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL, 310 GREENWOOD ST.,
GRAND LEDGE MI 48837

I. ROLL CALL OF BOARD OF CEMETERY TRUSTEES – Members Gary Cypher, Jack McNamara, II, and Mike Stevens

– Member Rodney Young was absent

OTHERS PRESENT – Adam Smith, City Manager; Ameer King, Assistant City Manager; Gregory Newman, City Clerk; Rich Morrison, Community Development Director; Kurt Ristow, Public Works Superintendent

II. PLEDGE OF ALLEGIANCE

III. AUDIENCE PARTICIPATION

The public did not comment.

IV. APPROVAL OF AGENDA

A. Motion – To approve the Wednesday, 08 January 2025 Construction Board of Appeals agenda.

CONSENSUS TO APPROVE THE WEDNESDAY, 08 JANUARY 2025 CONSTRUCTION BOARD OF APPEALS AGENDA.

V. NEW BUSINESS

A. Appeal – By the City of Grand Ledge of the Building Official’s decision on and interpretation of Michigan Mechanical Code Section 401.4(2).

Kurt Ristow, Public Works Superintendent, explained the property access control, the design of the building for deliveries on the south side, the Building Official’s approval of the plans in 2022, and the costs associated with the Building Official’s required solution.

Jon Willemin, Fishbeck, Inc., explained the Building Official’s approval of the plans in 2022, the area adjacent to the air intake is not parking or loading, and the costs associated with the Building Official’s required solution.

Rich Morrison, Community Development Director, explained the City’s focus on safety and protecting its employees, the City’s intent to provide “No parking, loading, and unloading” signs and pavement striping in the area adjacent to the air intake, and the Building Official’s interpretation and solution apply to enclosed parking garages, and requested the Board rule the Building Official’s interpretation of Michigan Mechanical Code Section 401.4(2) is incorrect.

Adam Smith, City Manager, commented on the City’s attempt to work with the Building Official on his interpretation of Michigan Mechanical Code Section 401.4(2) and explained the City’s intent to install carbon monoxide detectors at the Iron Removal Plant.

The Board discussed the location of the air intake and adjacent paved area, the Building Official’s interpretation of Michigan Mechanical Code Section 401.4(2), the intent of Michigan Mechanical Code Section 401.4(2),

MEMBER MCNAMARA MOVED, MEMBER STEVENS SECONDED, TO FIND MICHIGAN MECHANICAL CODE SECTION 401.4(2) HAS BEEN INCORRECTLY INTERPRETED BY THE BUILDING OFFICIAL AND TO APPROVE THE IRON REMOVAL PLANT PLANS APPROVED ON 17 APRIL 2023. MOTION CARRIED UNANIMOUSLY.

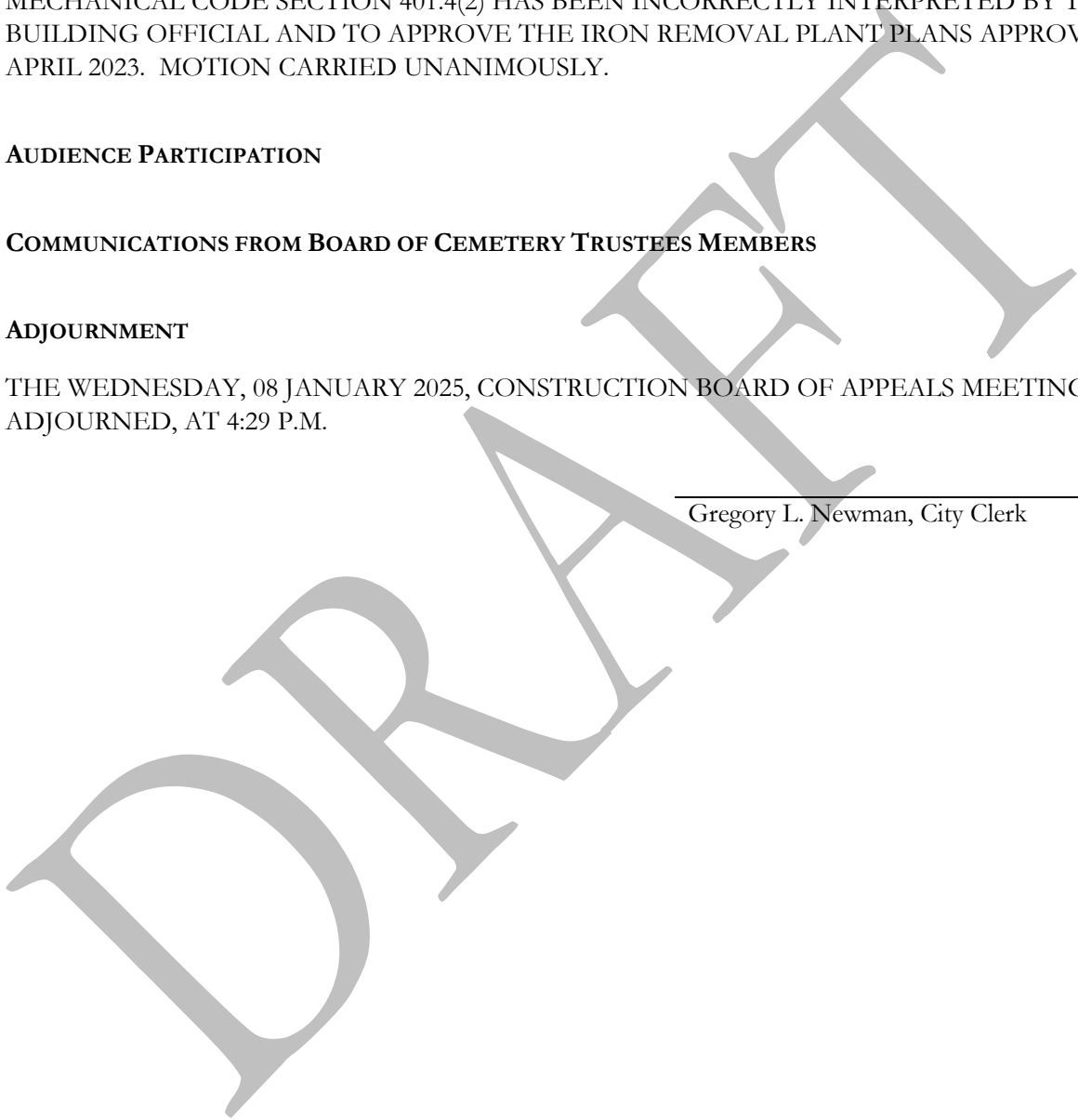
VI. AUDIENCE PARTICIPATION

VII. COMMUNICATIONS FROM BOARD OF CEMETERY TRUSTEES MEMBERS

VIII. ADJOURNMENT

THE WEDNESDAY, 08 JANUARY 2025, CONSTRUCTION BOARD OF APPEALS MEETING ADJOURNED, AT 4:29 P.M.

Gregory L. Newman, City Clerk



TO: Construction Board of Appeals

FROM: Rich Morrison, Community Development Director

RE: Evert Appeal

DATE: January 24, 2025

BACKGROUND

The property records indicate that Caden Evert acquired the property at 207 Lamson Street in March of 2023. Its worth noting that Lamson Street is often referred to as Lampson Street.

Attached is a record of the online Building Department property record. Prior to Mr. Evert owning the property, there were a number of enforcement entries. A photo and sketch of the house are part of the record.

The property has been used as a rental for years. Photos of the property indicate it was a 3-unit rental, with one of the units accessed by exterior stairs.

A Foundation Only Permit was issued on October 19, 2023. The house was raised and a new foundation constructed. A subsequent building permit application was filed on July 31, 2024 (attached). That permit has not been issued due to the dispute over the requirement for a sprinkler system.

The issue at hand as I understand it is the requirement to sprinkle the building. Below is an email from Building Official Dan Hufnagel to Ray Evert that explains the requirements:

Hi Ray

I apologize for the delay. The 2015 Michigan rehabilitation code for existing buildings has several requirements for fire suppression when alterations occur in an existing structure. With the new basement being an addition (section 1101.1) and a change in use as a residential rental unit (section 1004), the 2015 MRCEB reverts back to the 2015 Michigan building code requirements in chapter 9 where 903.2.8 of the 2015 MBC requires an automatic sprinkler system installed in all buildings with a Group R fire areas. The existing two stories fall into the alterations level 3 category of chapter 9 in the 2015 MRCEB because there is more than 50 percent of the work area affected and the configuration of the building is changing. Chapter 9 details level 3 alterations and also requires the automatic sprinkler system per section 904.1 and 804.2.2. I have done an extensive amount of research looking for different pathways to exempts this requirement and have not been able to find any that comply with your project. The installation of the 13R automatic sprinkler system will still be required as was indicated in your sealed drawings that were submitted in June. Once we have the details for the system we will be able to finish review and issue your permit. If you wish to pursue an appeal with the construction board of appeals you are certainly free to do so. I will be happy to help in any way through that process and Rich has been included on this email as well to help with

direction for any appeal documents and timeline questions you may have. Please do not hesitate to contact me with any additional questions or concerns you may have, thanks.

Daniel Hufnagel/ Chief Building Official
DeWitt Township Building Department
1401 W. Herbison Road
DeWitt, MI 48820
dhufnagel@dewittwp.org
(517) 277-0418

The Evert's appeal application and letter are attached.

Building Official Dan Hufnagel has provided the application, construction drawings, emails, and applicable code sections for your review.

As you can see in the Building Official's email, there are several applicable code sections making this a complex appeal.

ADDITIONAL INFORMATION:

The Construction Board will need to gather the information it needs to render a decision from the information contained in this packet and information gathered from the appellants and the Building Official.

I am available as a resource and can introduce the matter. Clerk Newman and I will help to facilitate the meeting, but I will not be making a presentation.

Suggested order of meeting:

Presentation by Building Official

Presentation by Appellants

Questions by Construction Board of Appeals to Building Official and Appellants

Discussion of matter by Construction Board of Appeals

Action by Construction Board of Appeals – Motion to:

- Uphold Building Official's Decision
- Find for Appellant and reverse Building Official's Decision
- Postpone for additional information and discussion

Attachments:

Appeal application

Letter from Caden and Ray Evert outlining the appeal.

Print

Building Code Appeal - Submission #3290

Date Submitted: 1/13/2025

PROPERTY INFORMATION

Address of Property for Appeal*

207 Lamson St Grand Ledge, Mi 48837

Property Owner's Name*

Caden Evert

Property Owner's Phone Number*

(517) 896-5041 (517) 896-5692

Applicant's Name*

Caden Evert & Ray Evert

Applicant's Phone Number*

(517) 896-5692

Email Address*

revert35@yahoo.com

APPEAL INFORMATION

A request is hereby made to the Construction Board of Appeals to:*

Reverse the determination of the building inspector on the applied codes 901.2 and 101.1 under the rehabilitation for existing buildings.

Arguments in support of this appeal:*

These building has been a 3 unit for 30 plus years, and is being kept a three unit. I feel the codes are incorrectly applied.

Please provide details to support your appeal:*

See attached letter

Please upload any supplemental documentation

207 Lamson Letter to City.docx

Electronic Signature Agreement*

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

I agree.

Electronic Signature*

Caden A Evert

To whom it may concern,

We are asking for an appeal of the building officials incorrectly applied codes 901.2 and 1101.1 under the rehabilitation for existing buildings. We purchased the three-unit apartment house at 207 Lamson St. Grand Ledge. It has been a three unit for 30 plus years. It needed some maintenance, and we thought we would put on a new roof, install new windows and do some updating on the inside. We later decided it would be better to do a more extensive remodel and make it a safer and more desired place to live. If we had gone with the first plan the building would not have met many current codes and would not have had to. By doing a more extensive rehab, we are now bringing the means of egress for all units up to code. Installing a double layer of fire rated drywall protection between units and bring all codes up to date. Installing a sprinkler system requires a minimum of a 2" designated water line that must be tapped in and brought over from the other side of the street. This means a saw cut and removal of the road, curb and sidewalk. Certified engineer soil compaction approval, new asphalt, curb and sidewalk just to mention a few steps in the process. This is a very costly and financial burden causing hardship on the completion of this project. The water line cost \$ 18,000.00 and the sprinkler system cost \$ 24,500.00 for an approximate amount of \$ 42,500.00. The basement has poured concrete walls/foundation and two layers of fire rated drywall between it and the unit above, and will be owner occupied. We are not asking for the appeal solely for financial reasons. We believe the codes are improperly applied. Also, a sprinkler system is not a safety issue, it is a protection of property issue. When new codes are adopted, they blanket many dwellings and structures that may or may not make sense. There are probably hundreds of buildings in Grand Ledge that do not meet this code, and probably never will, nor will have to. We are asking that the building officials determination of a sprinkler system be reversed.

Thank you for your consideration in this matter.

Respectfully,

Caden Evert & Ray Evert

(517) 896-5692 revert35@yahoo.com