



# CODE SERVICES

## a division of the MANHATTAN FIRE DEPARTMENT

Scott French, Director of Fire Services • Brad Claussen, Building Official

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### Housing Appeals Board Minutes

HEARING DATE: June 12, 2019

LOCATION(S): 1000 Osage Street, 527 Laramie Street,  
1815 Humboldt Street

MEMBERS PRESENT: Bill Muir, Allyn Weddle, Eric Neilson and Jeff  
Connell

STAFF PRESENT: Rick Berry - Sr. Code/Zoning Officer, Avery McNelly  
Code Officer I

Chairman Muir called the meeting to order at 10:03 AM. Members reviewed the minutes from the April 9, 2019 meeting. Allyn Weddle made a motion to approve the minutes as presented. Seconded by Eric Neilson. **Approved 4-0.**

**1000 Osage Street (Basement Unit)** – Owners Rep. Laura Munson – Frontier Property Management, was present.

**Item #1** - The owner requested a variance from the obligation to comply with the minimum standard as set forth in the code. During the April 29, 2019 inspection, it was noted that the basement egress windows did not meet minimum standards of 4 sq. ft. of openable space. The west bedroom window measured 15.5" x 31" of openable area and the east bedroom window measured 15.5" x 29" of openable area. IPMC 702.4 Eric Neilson moved and Jeff Connell seconded the motion that the variance be approved. **Approved 4-0**

**Item #2** The owner requested a variance from the obligation to comply with the minimum standard as set forth in the code. During the April 29, 2019 inspection, it was noted that the west basement window well did not meet minimum standards of being 24" from the exterior wall. The west basement window well measured approximately 12" from the outside wall to edge of window well. (IPMC 702.4 as amended)

Allyn Weddle moved and Eric Neilson seconded the motion that the variance request be **tabled**. Ownership is to investigate the drain line that is blocking the ability to move the window well into compliance. Once the use of the line is determined, the line can be relocated, removed or this issue can come back to the HAB board at a future meeting and reopened. **Approved 4-0**

**Item #3** The owner's representative is appealing the obligation to comply with IPMC 702.1 relating to the basement stairs. During inspection on 5/28/19, it was noted that the tread rise & run of 6.5" / 7.5" on the bottom step did not match the rest of the steps, 5.5" / 11.25" causing a trip hazard. Eric Neilson moved and Allyn Weddle seconded the motion that the variance request be **tabled**. Ownership is to investigate the cost of rebuilding the stairs properly and report back to Rick Berry. This issue may come back to the HAB board at a future meeting and reopened as needed. **Approved 4-0**

**527 Laramie Street** – 1030 AM – Jeff Fowler and Dan McCandless present

**Item #1** The owner is appealing the obligation to comply with IPMC 702.1, which states: **General.** 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*. During inspection on 2/12/19 it was noted that the basement stairwell head clearance measured at 57 1/8" at its lowest point.

Eric Neilson moved and Allyn Weddle seconded the motion that the variance request be **tabled**. Ownership is to raise the head height and if it becomes code compliant, Berry will close the file. This issue may come back to the HAB board at a future meeting and reopened as needed. **Approved 4-0**

**1815 Humboldt Street** – Doug Schwartz – Spring Creek Properties, LLC present

**Item #1** The owner is appealing the obligation to comply with IPMC 404.3 as amended which states: *Section 404.3 Minimum Ceiling Heights.* Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2,134 mm). During inspection on 5/9/19, it was noted that the ceiling height in the first floor laundry room measured 6'10". Allyn Weddle moved and Eric Neilson seconded the motion that the variance request be approved. **Approved 4-0**

**Item #2** The owner is appealing the obligation to comply with IPMC 404.3 as amended which states: *Section 404.3 Minimum Ceiling Heights*. Exception #2 - Basement rooms having a ceiling height of not less than 6 feet 8 inches with not less than 6 feet 4 inches of clear height under beams, girders, ducts and similar obstructions. During inspection on 5/9/19, it was noted that the basement hallway ceiling height is 6'1" with its lowest point being 5'9.25"

Eric Neilson moved and Allyn Weddle seconded the motion that the variance request be conditionally approved providing the owner install padding at the ceiling corners that may cause a hazard to occupants. Code inspectors will verify compliance.

**Conditionally Approved 4-0**

**Item #3** The owner is appealing the obligation to comply with IPMC 404.3 as amended which states: *Section 404.3 Minimum Ceiling Heights*. Exception #2 - Basement rooms having a ceiling height of not less than 6 feet 8 inches with not less than 6 feet 4 inches of clear height under beams, girders, ducts and similar obstructions. During inspection on 5/9/19, it was noted that a portion of the basement second bedroom ceiling height is 5'6".

Allyn Weddle moved and Eric Neilson seconded the motion that the variance request be conditionally approved providing the owner install padding at the ceiling corners that may cause a hazard to occupants. Code inspectors will verify compliance.

**Conditionally Approved 4-0**

Board Members were reminded that officer elections would take place at the July 10, 2019 meeting.

The meeting was adjourned at 11:20 AM.

Respectfully Submitted,  
Rick Berry - Board Secretary