



CITY OF WAUWATOSA

MEMORIAL CIVIC CENTER
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MINUTES MEETING OF THE BOARD OF BUILDING AND FIRE CODE APPEALS Friday, October 8, 2010

PRESENT: R. Bachman, S. Jung, R. Lex, C. Millman, P. Nook, R. Ornst – 6

EXCUSED: J. Price

ALSO PRESENT: W. Mainus, Building Inspec.

Mr. Ornst as Chair called the meeting to order at 9:00 a.m.

2654 N. 97th Street

Mr. Peter Sinclair, homeowner, has requested a variance to allow a difference in greatest to smallest riser height of 1.75 inches, whereas a maximum difference of 3/8 inch is required. Reference COMM 21.04 (2)3(e)

Present in favor: Peter and Kathi Sinclair, 2654 N. 97th Street

Mr. Sinclair explained that the basement floor was raised one inch for the installation of hydronic heat. The last step was not the same height as the others. To correct the step and to bring it into compliance, the headroom would be reduced to 70 inches. Keeping the stair as it is would keep the head room at 72.5 inches. New building requires 80 inches of headroom.

Mr. Bachman didn't think that leaving the step the way it is would create a great hazard. It seems like the contractor wasn't consistent with the other stair risers.

Mr. Sinclair noted that even without the hydronic heat, the step was smaller. Mr. Millman suggested painting the bottom stair a different color to alert people that the rise is different. Mr. Sinclair responded that they will be carpeting the stairs and the basement.

Mr. Lex commented that if he had to make a change, he would keep the headroom. This house has a hardship that makes it difficult to update.

Moved by Mr. Nook, seconded by Mr. Bachman to approve the Variance. The board finds beyond a reasonable doubt that: 1) a manifest injustice exists and that granting a variance will be in keeping with the spirit of the code, 2) the variance will not create special detriment to the overall character of the neighborhood nor adversely affect property values, 3) the hardship or practical difficulty was not created by the property owner, but exists due to the I beam that is in the way of the headroom and a variance will remedy that – 6

The meeting adjourned at 9:12 a.m.

Robert Ornst, Jr., Chairman