



Agenda
Village of Arlington Heights
Building Code Review Board
Community Room
Village Hall
September 25, 2017
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Approval of August 29, 2017 Minutes

IV. REPORTS

V. OLD BUSINESS

- A. Continuance of Item from August 29 Meeting - Variance request from Section 23-402, 903.2 of Chapter 23 of the Arlington Heights Municipal Code at 4175 N. Bloomington Ave.

VI. NEW BUSINESS

- A. Proposed modification to Village Code Chapters 23 and 27.

VII. OTHER BUSINESS

VIII. ADJOURNMENT

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Item: Approval of August 29, 2017 Minutes

Department: Building & Life Safety

ATTACHMENTS:

Description

Minutes of August 29, 2017

Type

Minutes

DRAFT

BUILDING CODE REVIEW BOARD

MINUTES OF A MEETING BEFORE THE VILLAGE OF ARLINGTON HEIGHTS BUILDING CODE REVIEW BOARD

August 29, 2017

MEMBERS PRESENT:

Carl Baldassarra, Acting Chair
Richard Bondarowicz
Scott Smith
Jim Tinaglia, Trustee

ADMINISTRATION PRESENT:

Seven Touloumis, Director of Building & Life Safety
Charley Craig, Assistant Building Official
Don Lay, Fire Safety Supervisor
Patty LeVee, Recording Secretary

OTHERS PRESENT:

William Van Dyke
Michael Mohr

SUBJECT: Variance request from Section 23-402, 903.2 of Chapter 23 of the Arlington Heights Municipal Code requiring fire protection system in proposed maintenance garage at 4175 N. Bloomington Ave.

There being a quorum present, the meeting was called to order at 6:40 pm.

APPROVAL OF MINUTES

MR. BONDAROWICZ MOTIONED TO APPROVE THE MINUTES OF THE AUGUST 3, 2017 MEETING, SECONDED BY MR. SMITH, THE MOTION PASSED UNANIMOUSLY 3-0 – Pass by Trustee Tinaglia.

NEW BUSINESS

Acting Chair, Carl Baldassarra called for an introduction. **Mr. Van Dyke** introduced himself as the Director of Construction for TLC Management, the current owners of Arbor Lakes Community. **Mr. Michael Moore** stated he is the Architect representing his client.

Mr. Van Dyke stated the building has been fully approved through zoning as a new structure for the property. The reason for the structure is to (1) house the golf carts. There are five golf carts, and the golf carts will be used daily for maintenance and (2) use for minor storage of the maintenance items that need to go into the apartments. It is an amenity for the tenants and for the owners. They have been asked to install sprinklers at this free standing building. He believes the closest building is 65 feet away. To have the sprinklers installed would put this completely out of budget and he would not be able to build it. In return, he would have to put a blue tarp over the golf carts during winter and at night which could lead to theft and would be an eyesore. That is the object to have the garage built and the sprinklers would kill this project.

Mr. Scott asked if he was asking them to waive the requirement for sprinklers or is he offering an alternative. **Mr. Van Dyke** stated his alternative was to do the tarp which is an eyesore and is asking that they waive the sprinklers.

Trustee Tinaglia explained that when a Petitioner is seeking relief, a dialog takes place regarding a give and take. While individually or collectively the Board may agree or disagree with the particular request. In this case, fire protection, it looks like it is being built out of standard 2 x 6 wood stud walls. **Trustee Tinaglia** asked if it would be possible to build this out of light weight metal studs so that the whole building is non-combustible and have basically a building that is non-flammable construction materials as opposed to wood.

Mr. Baldassarra asked if this was going towards a Type 4.

Mr. Van Dyke questioned, going from combustible to non-combustible? **Trustee Tinaglia** replied yes, explaining the way the Codes are written is that the material can be combustible or non-combustible and suggested to Mr. Van Dyke as something to think about for dialog.

Mr. Van Dyke thought the metal stud is comparable these days. The issue with this is the cost of the truss metal and he is in constraints with his budget.

Mr. Smith explained that when the Board takes into account decisions on these issues, cost is not a factor. The Code is there for a reason. While it might seem that sprinklers in this particular situation perhaps may or may not have been the intended consequence, it is the Code. Expense cannot be taken into account. Typically, a Petitioner would state that the sprinkler is too expensive but offer an alternative that gets you to the same place from a safety standpoint without having to do the fire sprinkler. If it is an acceptable alternative to meet the safety issues the Code is trying to meet, the Board would then weigh and determine whether or not it makes sense in any particular situation. You are saying you want a waiver and that is typically not what we do.

Mr. Smith added the fact that there will be electricity, there will be lights, they will be storing things, and perhaps these things you are storing are flammable. There are all sorts of issues here that could cause a fire. Other petitioners have said they would use all block, and use non-combustible roof materials, not having any electricity etc., asking if that suffices as a reasonable alternative and the Board had agreed to it being a reasonable alternative. Here we are given no reasonable alternative to make a determination.

Mr. Van Dyke replied, that is correct because there isn't any.

Mr. Baldassarra explained that other people have come to the Board and stated they were going to put in a detection system and wire to automatically dial the Fire Department or ADT or something like that; then there is an early notification of something happening in the building. He repeated, as Mr. Smith mentioned, we normally do not just waive

requirements of the Code, we look for alternatives and they do not need to be very sophisticated or expensive.

Mr. Van Dyke stated his aspect other than the finances is to store the golf carts, to alleviate theft, to alleviate eye sores on this beautiful property in this Village. Is that taken into consideration?

Trustee Tinaglia stated, no and explained again that this Board can not, just by a petitioners desire, waive a Building Code or a Zoning Ordinance or anything that is a document that the Village of Arlington Heights Trustees have adopted. This is part of our Code, part of our Ordinance. There are a thousand examples where someone might come in and request something because it makes sense for them and it makes sense for a lot of other issues, but it does not work like that. We could probably agree that it does not make sense to bring a water system to this building, to put sprinklers on this piece of property in this building, but it is our Code. Two or three recent projects have come in for the exact same request. One built the entire building on a non-combustible and had electronic devices put in to alarm the building. They spent a few dollars but certainly nothing compared to bringing a full water system and sprinkling the building.

Trustee Tinaglia suggested to either offer something that is compatible and reasonable as an alternative or ask for a vote and my suspicion is your vote will be denied. Another option is to table this for a time when they could come back with a better potential solution.

Mr. Van Dyke requested to table this matter in order to re-evaluate and review his costs, indicating they would be more likely to go with a fire alarm system.

Mr. Bondarowicz reiterated alternatives being building materials and possibly exploring a fire detection system as potential solutions.

Trustee Tinaglia mentioned there are fire ratings to be mindful of. You could say that the walls might want to be metal stud and easy to use and trusses might be more expensive to have components made of metal, but you could take a page out of the Code book that you can fire rate the bottom of that truss. There are things you can do, and when you come back be prepared to explain how you are approaching this.

Acting Chair, Mr. Baldassarra confirmed that the Petitioner is asking for this matter to be tabled for a future meeting.

NEW BUSINESS-ITEM ONE

Acting Chair, Mr. Baldassarra called for any other business. **Trustee Tinaglia** noted the handful of sprinkler cases that have come before this Board and stated he would like to see staff do some research to find out if it is feasible, reasonable or otherwise to delete Item 903.2 in our Municipal Code. It states as follows:

“[F]903.2 Where Required

Delete this section in its entirety and replace with the following:
Approved automatic sprinkler systems shall be required in all new buildings and structures, except for open parking structures, open-air portions of Group A-5, and Group F-2 occupancies.”

That sentence overrides and removes several pages of the Fire Sprinkler Code in the IFC and IBC. He asked staff to research omitting that.

Mr. Smith mentioned to keep in mind they plan to be going through the next iteration of the Code and it is certainly something they can consider for the next iteration.

Mr. Baldassarra said the question is, do we want to do that on its own real quick or make it as part of the overall adoption of the whole new packet when we get to it.

Trustee Tinaglia stated there are a lot of components on our amendments that need to be dealt with but this one in particular seems to surface again and again. He suggested circumstances such as this, similar to three other variances, be handled in office by Steve Touloumis. The other option would be to get rid of this all together and petitioners can meet what the code says.

Mr. Baldassarra mentioned he was one who was not in favor of this zero threshold, but that was the consensus of the group at the time. He stated the Fire Department said they would exercise good judgment on a case by case basis for things people come in with, small little building and outbuildings and things of that nature. That is what they have been doing, however he is not suggesting that we keep doing that. He agrees, there should be x number of square feet, and yet ironically we exempt single family homes, which are the most dangerous places. We exempt those but we want these 800 square foot lawn storage buildings to have all types of sophisticated protection.

Trustee Tinaglia stated this is something that would be immediately beneficial for so many, including staff and Board members and their time.

Mr. Bondarowicz asked if this submittal today, had we not had this in the code, what would be required of this garage. **Mr. Baldassarra** answered nothing.

Mr. Touloumis added it wouldn't be required because it would be a utility building. He acknowledged it is correct in stating that one sentence deleted is about three pages of the code, and one of the Sections that is knocked out, which is near the end of those three pages, is a small blurb that says “all this does not apply to utility buildings”. If we want to talk about doing something interim we do not necessarily have to look at the whole thing if we want to talk about these maintenance garages. Obviously the last case was a small, 10 x 20 home depot type shed, and this one is larger, not to be compared in the same category. But what is the threshold, what is the right number, we need to decide what it is. He is in agreement that a utility garage like this, it would not be necessary to have fire sprinklers.

Mr. Touloumis suggested thinking about a short term un-removing that utility exception that was taken out and putting it back in and going back to utility buildings not needing sprinklers and having fewer meetings.

Trustee Tinaglia asked that staff review some of this and come back to the Board sometime soon with ideas of what would make sense. It is not his goal to compromise anyone's safety or to make someone's budget happy, his goal is to make it more user friendly so people understand.

Discussion pursued on the matter with Mr. Baldassarra suggesting when someone comes with type of question it might be useful for staff to explain similar cases that have come up before and share the meeting minutes of what the Board approved in order to give them an idea that we do not just waive things.

Mr. Touloumis responded, yes that is reasonable, but he is looking for the threshold as last meeting went different than this one.

NEW BUSINESS – ITEM TWO

Mr. Baldassarra, made mention of a valuable member of this Board resigning because of the policy of the Village. They were told that if any member of this Board does any project at all within the Village, they were conflicted off this Board. Not to recuse oneself from that meeting but off the Board. He added he would like staff to talk to the Village Attorney and clarify this to avoid that happening again.

Trustee Tinaglia explained that it is not true, that the language was modified. It was called a Village Policy initially written that you could not serve on a Board if you practiced in town. This policy was rewritten to state that you cannot present and you cannot speak, vote etc., on a project on your behalf if you are a Board or Committee Member of any sort.

For example, if one of the Board members had a project, as Trustee Tinaglia did not long ago, someone from his office can come and represent and the Board or Commissioner Member would have to recuse himself and leave the room. He explained he can't speak, he can't go to Design Commission, Plan Commission, Zoning Board, Building Code Review Board, nor the Housing Commission on anything that his office represents. He cannot present to any Commission for any reason, whether a Trustee or a Commissioner.

After further discussion and clarification Mr. Baldassarra was satisfied with the explanation and stated there is no need to do anything else on this matter.

WITH NO FURTHER BUSINESS, ACTING CHAIR, MR. BALDASSARRA CALLED FOR A MOTION. MR. SMITH MOTIONED TO ADJOURN, SECONDED BY MR. BONDAROWICZ.

The meeting adjourned at 7:10PM.



Item: Continuance of Item from August 29 Meeting - Variance request from Section 23-402, 903.2 of Chapter 23 of the Arlington Heights Municipal Code at 4175 N. Bloomington Avenue

Department: Building & Life Safety

Request

Petitioner, William Van Dyke, for 4175 N. Bloomington Ave., seeking a variance from Section 23-402, 903.2 of the Arlington Heights Municipal Code requiring fire protection system in proposed maintenance garage.

Recommendation

Building & Life Safety recommends that the maintenance garage be built without requiring fire sprinklers.

ATTACHMENTS:

Description

Type

No Attachments Available



Item: Proposed Modification to Village Code Chapters 23 and 27

Department: Building & Life Safety

Proposed modification to Village Code Chapters 23 and 27,
Building Code and Fire Code, respectively.

Chapter 23- Building Code

It is recommended to modify Village Code Chapter 23, Article IV, Section 402 as follows:

DELETE LANGUAGE SHOWN BY STRIKETHROUGH

~~**[F] 903.2 Where Required**~~

~~—————Delete this section in its entirety and replace with the following:~~

~~—————Approved automatic sprinkler systems shall be required in all new buildings and structures, except for open parking structures, open-air portions of Group A-5, and Group F-2 occupancies.~~

REPLACE WITH NEW LANGUAGE BELOW. (SIGNIFICANT CHANGE IS UNDERLINED)

[F] 903.2 Where Required

Delete this section in its entirety and replace with the following:

Approved automatic sprinkler systems shall be required in all new buildings and structures, except for open parking structures, open-air portions of Group A-5, Group F-2 and U occupancies.

Chapter 27- Fire Code

It is recommended to modify Village Code Chapter 27, Article I, Section 102 as follows:

DELETE LANGUAGE SHOWN BY STRIKETHROUGH

~~**[F] 903.2 Sprinklers where required**~~

~~—————Revise 903.2 to read as follows:~~

~~—————Approved automatic sprinkler systems shall be required in all new buildings and structures, except for open parking structures, open-air portions of Group A-5, and Group F-2 occupancies.~~

REPLACE WITH NEW LANGUAGE BELOW. (SIGNIFICANT CHANGE IS UNDERLINED)

[F] 903.2 Sprinklers where required

Delete this section in its entirety and replace with the following:

Approved automatic sprinkler systems shall be required in all new buildings and structures, except for open parking structures, open-air portions of Group A-5, Group F-2 and U occupancies.

ATTACHMENTS:

Description

Type

No Attachments Available