



Agenda  
Village of Arlington Heights  
Building Code Review Board  
Commissions Room  
33 S. Arlington Heights Rd., AH 60005  
August 3, 2017  
7:00 PM

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF MINUTES**

- A. Approval of May 30, 2017 Minutes

**IV. REPORTS**

**V. OLD BUSINESS**

**VI. NEW BUSINESS**

- A. Variance request from Section 9 of Chapter 23 of the Arlington Heights Municipal Code at 401 S. Evergreen Ave.

**VII. OTHER BUSINESS**

**VIII. ADJOURNMENT**

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**Item:** Approval of May 30, 2017 Minutes

**Department:** Building & Life Safety

**ATTACHMENTS:**

**Description**

Minutes of May 30, 2017

**Type**

Minutes

# DRAFT

## BUILDING CODE REVIEW BOARD

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

May 30, 2017

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#### **MEMBERS PRESENT:**

Carl Baldassarra  
Jim Tinaglia (Trustee)  
Scott Smith

#### **ADMINISTRATION PRESENT:**

Steven Touloumis, Director of Building Services  
Charley Craig, Assistant Building Official  
Bernie Lyons, Deputy Fire Chief  
Patty LeVee, Recording Secretary

#### **OTHERS PRESENT:**

**Bonnie and Chuck Gerstung**  
**Charlie Gerstung (son)**  
**Keith Ginnodo, Kingsley & Ginnodo Architects**  
**Kennedy McKay**

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**SUBJECT:** Continuance of May 11, 2017 meeting seeking a variance from Chapter 23, Section R305.1 of the Arlington Heights Municipal Code for 610 E. Maude Avenue for a ceiling height variance in their basement.

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There being a quorum present, acting Chair Scott Smith called the meeting to order at 6:40pm. All stood for the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

**CARL BALDASSARRA MOTIONED TO APPROVE THE MINUTES OF THE MAY 11, 2017 MEETING, SECONDED BY SCOTT SMITH, THE MOTION PASSED UNANIMOUSLY.**

#### **OLD BUSINESS**

**Mr. Charlie Gerstung** described their situation of needing additional space for himself and his four children now living with his parents. He stated that with the ceiling height requirement, the Village code is 8 feet, the IRC (International Residential Code) is 7 feet and they are a couple inches below. Their architect provided some options to try to mitigate and come up with a safe environment for the room in the basement. (See Exhibit A).

**Mr. Charlie Gerstung** said that already included in the drawing is new smoke and smoke/CO detectors that would be interconnected with the existing smoke/CO detector located in the first floor hallway. There would be two new locations, one inside the

bedroom and one in the hallway outside of the bedroom. This would be hardwired into the existing.

**Mr. Charlie Gerstung** said currently the upstairs bedrooms do not have smoke detectors and they thought it would be a good idea to add wireless to connect into the system. This would be in all of the upstairs bedrooms, allowing additional safety for both downstairs and upstairs. The next option would be to install a fire rated door on the new bedroom; steel frame, self-closing hinges and 20 minute fire rated door.

Another option would be a fire rated interior partition in between the new bathroom and the new bedroom. There is a post there and they are planning to make a fire partition to aide in the safety of the bedroom. They would dry wall both sides of the wall on the bedroom side, along with dry walling the bathroom, which is another measure of safety. They will be using Type X drywall, which is a fire rated drywall, as well as caulking the seams to prevent smoke from getting in. The drywall of the ceiling of the basement bedroom would be Type C drywall, which is fire rated beyond the Type X. Both drywalls would be 5/8" and all can lights would be "Air-Tite".

**Mr. Baldassarra** mentioned the acoustical sealant on the memo provided to them. **Mr. Ginnodo** stated an acoustical sealant is not a fire rated sealant, the UL listing generally states to bring the wall up to the type of structure and acoustical sealant is enough to keep smoke from getting through.

**Mr. Charlie Gerstung** stated they were asked to include an option for the fire dampers on duct penetration. In discussion with their contractor, the contractor was very hesitant on going that route but they did include it as something to be discussed. Their hope would be not to need to do all of the options listed being that they are maybe 1 ½" below the IRC Code.

**Mr. Touloumis** stated that there is mention of only being 1½" below the number, yet the submitted plans still say 6' 9". We need to go by what is on the drawings. Is there potential that the reality is different than what is on the drawings from the height standpoint? **Mr. Charlie Gerstung** said that with the ceiling it would be 6' 10". **Mr. Ginnodo** said it would be something they could indicate on their drawings.

**Mr. Charlie Gerstung** said this was discussed with their architect (wife of Mr. Ginnodo) prior, and she was willing to sign a letter. **Mr. Lyons** noted it is still 15" short of the amended code.

**Mr. Baldassarra** cited the meeting minutes of May 11th as stating the plan indicates 6' 9" and Ms. Gerstung said it was slightly higher than 6' 10", the architect will verify. **Ms. Gerstung** reiterated that when she spoke to their architect she was told they would verify.

**Mr. Ginnodo** said that the 6' 9" is a figure that is comfortable because it will account for floor finish above the existing slab and with a carpet pad down it will take up some space. The 6' 9" is a number that they are comfortable stamping because it will

definitely work. If it is a hindrance they will come up with a way to eliminate floor finish entirely.

**Mr. Baldassarra** asked if the entire ceiling in the basement would have gypsum board. **Mr. Ginnodo** did not think it would be over the utility room. **Mr. Charlie Gerstung** confirmed that is correct. **Mr. Ginnodo** said it would be drywall in the storage, drywall recreation, drywall bath, drywall hall and drywall in the bedroom. The storage room and the recreation room already have a ceiling in there; the new space would be adding drywall ceiling.

**Mr. Baldassarra** inquired about the existing code stated that the furnace room has to have a gypsum board ceiling. **Mr. Craig** stated not any more, he believes they took that out and that is where they put the requirement for a sprinkler head, one sprinkler head above a fuel burning furnace. **Mr. Charlie Gerstung** added that immediately surrounding the furnace is drywall.

**Mr. Smith** called for staff recommendation. **Mr. Touloumis** said the recommendation from the Building Department (which lead to the fire damper requirement), is that if they were going to rate this room, it makes no sense to rate a room with drywall and ceiling if you have two big duct holes in the wall that smoke and heat can pass through. That said, he is not saying to put an hour rated door in either. A reasonable accommodation is what the code typically calls for between a garage and the residential separation which you can get out of the IRC. Since we are mixing codes with creating the UL 305 design, you are not going to have that with duct penetrations which can be significant with supply and return. The recommendation would be for approval with the duct dampers.

**Mr. Smith** said it was mentioned at the last meeting that the biggest concern was the smoke and that the higher ceiling gives more time for the smoke to fill up before it starts affecting the occupant. He asked **Mr. Lyons** if these would be reasonable measures to alleviate that concern.

**Mr. Lyons** replied, yes. He explained that they worked hard on the amendments to the code, and that when they are talking about the code they should be talking about ceiling height being 8 feet. When they amended from 7 to 8, he did not think it was for purely fire and life safety reasons. It had some benefits that Building & Life Safety Department was looking out for at the last meeting, but he agrees with Mr. Touloumis that the alternatives presented offset any potential negative life safety effects of a lower ceiling. Therefore, they would not oppose a variance.

**Mr. Baldassarra** asked if the petitioners realize the rated door is going to be closed all of the time. He is wrestling with what we are protecting, what from what. Is the bedroom the hazard or is the bedroom the target we are trying to protect from everything else. He noted there is a huge escape window.

**Mr. Charlie Gerstung** mentioned it is a 6 x 3 window. It is much larger than the code states is necessary for an egress window itself. The reason for the size is for the light to

come into the room. The sill height is lower than the requirement also. He feels it will be the safest room in the house being there are three exits, there is another egress window that is easily accessed in the utility space, as well as outside the door and up the stairs out the garage.

**Mr. Touloumis** said his opinion is somebody sleeping in the room, fire starts; you are protecting somebody from something happening on the outside, fire starting on the first floor, other exits, smoke penetrating in etc. Basements are more difficult for emergency responders to get down into, smoke with lower ceiling height collects more quickly, it is more difficult for them to get there to rescue somebody. The answer to the question is that you are protecting the occupant inside from some event happening on the outside.

**Mr. Charlie Gerstung** noted that the room is a very large room; it is 14 x 13 with two very large closets.

**Mr. Baldassarra** added he liked the idea of the interconnected detection. It gives people on both levels of the house advanced notice. He said we would not be doing this except for not having the proper ceiling height. He likes the idea of Alternative 1, the proposed addition of smoke detection in all of the sleeping rooms on the first floor. He did not feel Alternative 3, proposal for dampers, was that important but likes the other parts of the proposal. He will support No. 3 if the Village feels it is important. Exhibit A.

There was discussion on dampers, and the variety of alternates proposed. **Mr. Ginnodo** then proposed Alternate 1 and 2. He does not think fire dampers are required in the IRC. It is maybe another level of security that may not be contributing that much. His position is that if it needs to happen to get the project done, they will, but it seems to not be necessary.

**Mr. Lyons** asked what adding the dampers did to make it safer. **Mr. Charlie Gerstung** said it was put in not to make it safer but because of discussions with Mr. Touloumis, they added it.

**Mr. Tinaglia** asked for confirmation on height. **Mr. Ginnodo** said they have 6' 9" on the drawings. He believes it was put there for floor finish, ceiling drywall, or maybe the slope of floor. It is the worst case scenario it can be in that room, it will not be any less.

**Mr. Tinaglia** noted that with concrete floor and finished drywall it is 6' 10" or 6' 10½" in reality. We can't talk about what finish they put on their floor, that is not our job to tell them what to do on their floor.

**Mr. Tinaglia** asked **Mr. Ginnodo** about costs of Items 1, 2 a, b, and c, and 3. **Mr. Ginnodo** was not sure and said the first two are normal in a construction project of this scale and would not be damaging to include because it is almost like normal construction. He added the fire dampers could be more costly depending on the type involved. **Mr. Tinaglia** said the total would be more than a few hundred dollars.

**Mr. Tinaglia** stated his thoughts were that if you label this a different kind of room to begin with, no one would have discussed this. We cannot stop someone from finishing their basement. It is just that it is called a bedroom. If it was just a room we would not be having this discussion. It is an existing condition that they want to use the best they can and they want to be safe. He believes the alternatives are reasonable and in his opinion overkill in many instances. Whatever the rest of the Board feels is necessary, he will support. He is fine with not doing any of them. If it was a brand new house it would be different, but they are trying to do something out of an existing house. If not for the big window, he would say forget it. He would not want anyone sleeping in another room without a reasonable way out.

**Mr. Touloumis** clarified that as discussed in the last meeting, things that were considered standard for the code, like an emergency escape, was not looked at as extra as more to offset what we are trying to get with the ceiling height. Again, the window larger than the minimum helps the cause.

**Mr. Smith** said that typically this Board does not take into account costs. It has been the process of this Board that if one wants to make a change to the code that they should provide something that tries to provide a similar type of safety in an alternative fashion and you have provided that. Based on discussions he would be willing to accept some of the safety measures being added, not necessarily all.

**MR. BALDASSARRA MOTIONED THAT THE APPLICATION BE APPROVED WITH ALTERNATES 1 AND 2 BEING CONDITIONS OF THE APPROVAL. SECONDED BY MR. TINAGLIA THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:15pm.



**Item:** Variance request from Section 9 of Chapter 23 of the Arlington Heights Municipal Code at 401 S. Evergreen Ave.

**Department:** Building & Life Safety

**Request**

Petitioner, Ghandshyam Patel of 401 S. Evergreen Avenue, seeking a variance from Section 9 of Chapter 23 of the Arlington Heights Municipal Code requiring a sprinkler system for a 14 x 20 storage shed.

**Recommendation**

It is recommended by the Building & Life Safety Department to allow the storage shed to be built without requiring fire sprinklers. It is our belief that when the current amendments to the Fire Code were written that it wasn't intended to require fire sprinklers for Utility buildings of this nature. (The code as currently amended removed the standard code language that would have not required fire sprinklers for this shed.)

**ATTACHMENTS:**

**Description**

Petitioner Request

**Type**

Correspondence

**REQUEST:**

Variation from Section 9 of Chapter 23 of the Arlington Heights Municipal Code

**BRIEF DESCRIPTION OF VARIANCE REQUEST:**

We want to replace existing 10x12 storage shed built 2016 with bigger 14x20 storage shed to meet additional storage requirements of the church/temple.

We request exemption from fire sprinkler system requirement.

**SUBMITTAL REQUIREMENTS:**

The following information must be provided with this application:

- \$110 Application Fee (Non-Refundable)
- 10 sets of drawings and any supporting documentation.

The Building Code Review Board may recommend that variations be granted from provisions of the Building Code in cases where the applicant for such variation demonstrates practical difficulty and particular hardship. No variation may be granted without review and final action by the Village Board.

Now comes the Petitioner Ghanshyam Patel- Swaminarayan Gurukul requesting a variation from Section 9 of Chapter 23 of the Arlington Heights Municipal Code for the following reason:

2009 International fire code section 903.2 do not explicitly exclude storage sheds from fire sprinkler system requirement. We want to replace existing 10x12 storage shed with bigger storage shed (within limit of the allowed size of 300sf) 14x20, but installing fire sprinkler in the storage shed will not be practical. Also storage shed is @100 ft away from the main building.

I hereby state that the following hardship would exist if the variance is not approved:  
Installing fire sprinkler system in the storage will not be practical or overly expensive. Also requested storage shed is @100 ft away from the main structure.

I understand that any recommendation from the Building Code Review Board for a variation is subject to review and final action by the Village Board.

  
Petitioner

7-7-17  
Date

\_\_\_\_\_  
Owner (if different from Petitioner)

\_\_\_\_\_  
Date