

These minutes are subject to formal approval by the Wyoming Housing Board of Appeals at their next regular meeting.

**MINUTES OF THE WYOMING HOUSING BOARD OF APPEALS  
HELD AT WYOMING CITY HALL**

June 16, 2016

Acting Chairman Kerby called the meeting to order at 7:00 p.m.

Members present: Kerby Kooienga Troy Lomonaco

Member absent: Beal

A motion made by Kooienga, supported by Troy to excuse Beal.

Motion carried: 4 Yeas 0 Nays

Other officials present:

A motion was made by Kooienga, seconded by Troy to approve the minutes of the May 5, 2016 Housing Board of Appeals meeting.

Motion carried: 4 Yeas 0 Nays

**PUBLIC HEARING:**

Case #V160014 P.P. #41-17-25-253-009

Guadalupe Baker

250 Leroy St. S.W. (Zoned R-2)

The purpose was to hear all interested parties regarding an appeal from City Property Maintenance Code Section 404.3 which requires minimum ceiling heights in habitable basement areas to be 7 feet (2134 mm), in order to grant a variance to allow a basement hallway and bathroom with 6'8" finished ceiling height; a basement recreation room and a bedroom with a 6'7" finished ceiling height; and a 5'10" finished ceiling height under the bulkhead area. Staff secretary read the appeal request.

Rupert discussed the wording of the Property Maintenance Code Commentary in regards to Section 404.3. The intent is to provide adequate space so the occupants are comfortable. The code does not address safety issues. This property was posted by staff as an Abandoned Structure. The inspector recognized the fact the basement was being remodeled. A permit was required for installation of an egress window. When it was determined the basement did not have the adequate ceiling height, the project was stopped. Dave presented pictures of the current state of the basement. Staff supported the variance request. The worst that could happen is that an occupant might bump their head on the lower bulkhead.

**Public Hearing:**

Josh Smith, owner of Front Porch Group, spoke for the owners. At the time the owners had purchased the house, the basement had already been finished. They had obtained a permit to remodel the stairway, and a permit to install an egress window. The builder had seen any issue with the remodel of the basement because it had been finished previously, and the ceiling height did not

change. The inspector noted the basement did not have adequate ceiling height, and the project was stopped. The owners had gotten a renovation loan to remodel the house. There are not many options to increase the ceiling height due to the age of the house. Raising the house or digging a deeper basement would be costly. The basement remodel will add value to the house. The height is not a safety issue. Fire and Emergency services can access the area in case of an emergency.

Kerby asked if the ceiling would be directly attached to the floor joist. Mr. Smith affirmed it would. There would not be any space between the ceiling and the floor joist so the ceiling height is maximized to its limit. Mr. Smith said they even looked at the thickness of different materials, in case it would make a difference.

Acting Chairman Kerby closed the public hearing.

Kooienga thought that if there were no safety issues, and the project would increase the value of the property, the variance should be granted.

Troy said if the basement was finished before, there is not much difference between the old ceiling heights and the new.

Jeff, Baker, owner said they purchased the house on land contract from a friend. In the beginning they thought they would only be doing cosmetic work, but as they got more involved they found there was more work that needed to be done. They thought they were working within the scope of codes as they were upgrading the original condition of the house. They did not set out to intentionally violate code standards. The house when finished will be a great improvement to the neighborhood, and will be usable. In fact he noticed other neighbors are making improvements to their properties as well.

Lomonaco made a motion to grant the variance request with staff's Finding of Facts. Troy supported the motion.

Motion carried:           4 Yeas           0 Nays

The meeting was adjourned.

William Kerby  
Secretary

/cb