

**BOARD OF CODE APPEALS
REGULAR MEETING
May 12, 2016**

SUBJECT: The minutes of the Board of Code Appeals meeting of May 12, 2016.

The meeting was called to order by Chairman Measel at 6:00 pm

MEMBERS PRESENT: Douglas Harvey, Laurel Johnson, Terry Measel,
Thaddeus Stanek, Thomas Szatkowski

Michael Viazanko, Building Official
Michael Bauss, Fire Marshall

RECORDING SECRETARY: Rene Rosni

APPROVAL OF AGENDA

Motion by Stanek, supported by Harvey, to approve the agenda as presented.

Yes: All Absent: None Motion carried.

CONSIDERATIONS

PG15-0318 - Hassan Hamade - Requesting Board Approval for a variance to the following: 1) Sterling Heights Fire Prevention Regulations 1-3 and 2-2; 2) Chapter 20 of City Codes and Ordinances: Local Amendments to International Fire Code: 104.1.2 B. 3.; 3) Chapter 20 of City Codes and Ordinances: Local Amendments to International Fire Code: 107.2.1.
Property address: 42986 Mound Road

Hani Hamade, Owner, was present.
Hassan Hamade, Attorney and applicant's brother was also present and spoke for the applicant.

Hassan Hamade stated that the Sunoco's current suppression is not in compliance with the City of Sterling Height's ordinance. After looking into this ordinance, Mr. Hamade discovered that there are only a handful of cities in Michigan, as well as throughout the country, that still have this ordinance. He thought it was worth bringing it to the Board for further discussion to figure if this is truly needed or is this outdated ordnance that needs to be changed.

Mike Bauss stated that the State of Michigan does not require self serve gas stations to have fire suppression; however, the City of Sterling Heights does require it through fire prevention regulations. The city has been requiring these for over 20 years and there are approximately 30 self serve gas stations throughout the City with a UL12.54 suppression system.

At this point, this is the only business that is not complaint with our fire prevention regulations. Fire Marshall Bauss did some research into this address and discovered that two years ago a car on Mound Road started on fire and chose to pull into this gas station. It did require a fire engine to come and put out the fire. If this vehicle had gone under the canopy, the fire suppression system would not have put out the compartment fire. If the dry-chem cannot smother the fire, it cannot put the fire out. Fire Marshall Bauss also indicated these systems are very costly to put in and very costly to maintain.

Mr. Hamade indicated the only case where this system is effective is if a fire happens right under the canopy. Also, wind is a factor and the system will be less effective if it's a windy day. Mr. Hamade indicated once again that most cities are no longer requiring this system.

Mr. Viazanko indicated he had consulted with our City Attorney and was told that this does fall under the jurisdiction of Board of Code Appeals. Our attorney indicated that this Board does have the authority to approve or deny this request.

Fire Marshall Bauss did acknowledge that there are limited capabilities with this system but his pos

Motion by Stanek, supported by Szatkowski, to **deny** PG15-0318 (Hassan Hamade).

Yes: All

Absent: None

Motion: Carried

PG16-0047 - Bill Froling, Jr. - Requesting Board approval for a variance to keep speed bumps recently installed in the parking lot of the shopping center.

P

Motion to table until the meeting of June 9, 2016, per request by the applicant, Bill Froling, Jr.

Motion by Measel supported by Harvey, **to postpone** PG15-0318 (Hassan Hamade) for six months until the first meeting in May.

Yes: All

Absent: None

Motion: Carried

OLD BUSINESS

None

NEW BUSINESS

None

PARTICIPATION

None

APPROVAL OF MINUTES

Motion by Measel, supported by Stanek, to approve the minutes of November 12, 2015.

Yes: All

Absent:

Motion carried

ADJOURNMENT

Motion by Johnson, supported by Stanek, to adjourn.

Yes: All

Absent: None

Motion carried.

Meeting adjourned at pm.

Respectfully submitted,

Thaddeus Stanek
Chairman