

**CONSTRUCTION BOARD OF APPEALS MEETING MINUTES**  
**Wednesday, October 16, 2019 at 2:00 P.M.**

Chair Baese asked the Clinton County Building Official, Joel Haviland, to start the meeting. Haviland stated that Richard Ehlert came into the Building Department to discuss a future building project, including the building's use, the building size, and the code requirements. In particular, they discussed that automatic sprinklers would be required for his project. Richard expressed that he didn't feel the automatic sprinklers were necessary. Haviland directed Richard's reasoning to the appeal application. He also referenced Section 903 of the 2015 Michigan Building Code book and it explains when automatic sprinklers are required. It states that anytime a building is 5,000 square feet or more used for Commercial motor vehicles, sprinklers are required. Haviland stated that Richard said he would be using the building for repairing semis, buses, and other large motor vehicles. Haviland said buildings that store motor vehicles require the automatic sprinklers. Haviland brought attention to the size of the building and the amount of people in it and to keep them protected and safe. Haviland suggested other options such as, a firewall dividing the space in half. Haviland provided a list of commercial projects recently built in Clinton County that either provided automatic sprinklers or chose a different option that fits the Michigan Code. Haviland said he didn't have anything further to say unless there were any questions.

Chair Baese asked Patrick Ehlert or Richard Ehlert to speak. Patrick approached the podium to speak. Patrick stated the reason for the size of the building is for material handlers – excavators that process scrap metal; the size being 68 feet long, 15 feet wide, and 17 feet high; and that this machine would need to fit inside the building for maintenance without partitions or a firewall. Chair Baese asked if they would be doing maintenance on several vehicles. Patrick said that wouldn't necessarily be the case unless they needed to move a fork truck around for maintenance. Patrick explained the need for the large building to fit the big excavator, the material handlers, and the "logger baler" that compacts refrigerators and other appliances.

Chair Baese asked Haviland if the code requirement specified a number of motor vehicles. Haviland doesn't believe it specifies a number. Haviland said the code is specific to motor vehicles meant for the road and not the large equipment mentioned by Patrick. Haviland clarified that Patrick could partition the building and have the larger side used for the large equipment and the smaller (under 5,000 square feet) side for the motor vehicles which would negate the requirement for the automatic sprinklers. Patrick asked specifically if he would be approved for that scenario but Haviland recommended that he work with an architect to design the building for his needs. Secretary Rademacher asked for clarification on if the building is over 5,000 square feet, how automatic sprinklers would not be a requirement. Haviland explained that the larger space would be used for processing scrap metal; the smaller side would be used for the motor vehicles; and the two sides would be separated by a firewall. Patrick said that scenario would work for him and it would meet his interests. Chair Baese confirmed with Patrick that Patrick would work with his architect. Secretary Rademacher asked if it would be cheaper to have a firewall versus the sprinkler system. Patrick explained the location of the proposed building is outside of the City of Ovid's city limits; the city won't pipe the water to that location because of the creek; and the insulated piping needed would be too costly for their own water tower. Secretary Rademacher asked about installing a private well but Patrick said a private well wouldn't have enough water pressure to properly serve a sprinkler system. Patrick concluded that he would talk to his architect to draw up what would work for the proposed building. Chair Baese asked if anyone had any questions. There were no questions.

**Construction Board of Appeals Action/Motion**

Motion by McComb to deny the appeal request based on the information given and the project as presented. Supported by Secretary Rademacher. (Vote of 5-0, all in favor, none opposed).

**10. Other Business –**

There was no other business presented.

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**1. Call to Order and Roll Call –**

The Clinton County Construction Board of Appeals met on Wednesday, October 16, 2019 at 2:00 p.m. in the Clinton County Commissioners' Chambers, Clinton County Courthouse in St. Johns, Michigan.

The meeting was called to order by the Construction Board of Appeals' Chair, Dennis Baese. The Building Department Secretary, Erin McElroy, did a member roll call – all present.

Members present – Dennis Baese (Chair), Robert McComb, James Rademacher (Secretary), Leon Schneider (Vice-Chair), and Clint Schaefer. Staff present – Erin McElroy, Building Department Secretary; Joel Haviland, Building/Zoning Administrator; Daniel Hufnagel, Building Inspector; and Jessica Plesko, Soil Erosion Secretary.

Visitors present – Richard Ehlert and Patrick Ehlert.

**2. Pledge of Allegiance –**

The pledge of allegiance was given to the flag of the United States of America.

**3. Approval of Agenda –**

**Construction Board of Appeals Action/Motion**

Motion by Robert McComb, support by Vice-Chair Schneider to approve the October 16, 2019 CBA agenda, as presented. There being no further discussion, motion carried unanimously (vote of 5-0, all in favor, none opposed).

**4. Approval of Per Diem Vouchers –**

**Construction Board of Appeals Action/Motion**

Motion by Secretary Rademacher, support by Clint Schaefer to approve the October 16, 2019 per diem vouchers, as presented. There being no further discussion, motion carried unanimously (vote of 5-0, all in favor, none opposed).

**5. Approval of May 21, 2019 Meeting Minutes –**

**Construction Board of Appeals Action/Motion**

Motion by Vice-Chair Schneider, support by Secretary Rademacher to approve the May 21, 2019 meeting minutes, as presented. There being no further discussion, motion carried unanimously (vote of 5-0, all in favor, none opposed).

**6. Communications –**

There were no communications.

**7. Public Comments –**

There were no public comments presented.

**8. Old Business –**

There was no old business presented.

**9. New Business –**

**A. Case: CBA 02-19 – Patrick/Richard Ehlert**

An appeal request submitted by owner, Patrick Ehlert. Mr. Ehlert is requesting a variance for a required automatic sprinkler system for a proposed new commercial building located at 611 West Williams Street, Ovid, Michigan 48866.

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**11. Adjournment –**

**Construction Board of Appeals Action/Motion**

Motion by Vice-Chair Schneider, support by Clint Schaefer to adjourn the meeting. There being no further discussion, motion carried (vote of 5-0, all in favor, none opposed). The October 16, 2019 CBA meeting adjourned at 2:50 p.m.

Minutes prepared and respectfully submitted by,

*Erin McElroy* 10-28-19

Erin McElroy, Building Secretary  
Community Development Department

Minutes Approved by,

*James Rademacher* 11-4-19

James Rademacher, Construction Board of Appeals Secretary

DRAFT