

MICHIGAN CONSTRUCTION CODE COMMISSION
DEPARTMENT OF ENERGY, LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254
Lansing, MI 48909

Lake of the Woods Camp,

Petitioner

Appeal Docket No.
CCC-PRD 10-003

vs

State of Michigan, Bureau of Construction Codes, Plan Review Division,

Respondent

ORDER OF THE MICHIGAN CONSTRUCTION CODE COMMISSION

Background:

The subject of this appeal is the design of a two-story mixed use building (Use Group B and R-2). Construction documents for the subject building were submitted to the bureau for plan review on August 10, 2010. The results of the bureau's plan review were sent to the applicant, Mr. Harold Cirino, in a letter dated August 27, 2010. The design of the building was not approved for compliance with 2006 Michigan Building Code (MBC), Section 903.2.7 requiring an automatic sprinkler system.

Procedural Findings:

On consideration of the request dated September 7, 2010, from Harold Cirino, a hearing before a panel of the Construction Code Commission was held September 20, 2010, at the Bureau of Construction Codes, 2501 Woodlake Circle, Okemos, Michigan in accordance with the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, Section 125.1516. Present were Harold Cirino, representing Lake of the Woods Camp, Dayna Hardin, representing Lake of the Woods Camp, Bruce Vander Weele, representing Lake of the Woods Camp, Michael Conover, representing Lake of the Woods Camp and James Greene, representing Bureau of Construction Codes, Plan Review Division.

Issue:

The petitioner seeks relief from 2006 Michigan Building Code (MBC), Section 903.2.7, exception (1) that requires that Group R camp buildings in remote areas without municipal water supply be not more than one-story, 2,000 square feet and 25 occupants or have an automatic sprinkler system throughout the building.

Findings:

The building design in question is two-stories with 4,600 square feet on the first floor (Use Group B) and, 1,350 square feet on the second floor (Use Group R-2). The total building area is 5,950 square feet. The site does not have a municipal water supply. Testimony by representatives of the petitioner stated that they do not dispute the plan review determination of the bureau. However, they are seeking relief from the code because, the operation of the main office and counselor sleeping quarters make it necessary to have both uses or functions in the same building. Due to limited space on the site, the proposed building was designed as a two-story building with the main office on the first floor and counselor living quarters on the second floor (without automatic sprinklers). The petitioner's representatives also testified that the operation of the camp makes the main office the primary point of entry for camp attendees, parents, visitors and staff, and that a one-story building design would make it necessary to alter the existing entrance drive and walk. It was also stated by the petitioner's representatives that the current main office building is slated for demolition in the near future and that the anticipated peak occupant load for the proposed building will be not more than 25 people (including 9 in private sleeping quarters on the second floor for staff). A horizontal assembly with a 2 hour fire-resistance rating was proposed between the first floor office and the second floor residential use by means of 4 layers of 5/8 inch thick gypsum board fastened to the bottom of the second floor structural members.

Testimony by a representative of the respondent stated that the design does not meet exception (1) of 2006 MBC, Section 903.2.7, that limits the building to one-story, 2,000 square feet and 25 occupants unless it has an automatic sprinkler system for fire protection. According to Table 508.3.3 of the 2006 MBC, the required fire separation between occupancies B and R is two hours in a building without an automatic sprinkler system.

Conclusions:

The panel of the commission observed that the petitioner did not design the subject building in accordance with the requirements of the exceptions to 2006 MBC, Section 903.2.7. There were no alternatives shown in the design that are above and beyond the occupancy separation requirements of 2006 Michigan Building Code, Table 508.3.3 (required 2 hour rated separation). The petitioner brought a site survey (Exhibit 8) to the panel's attention showing surrounding site landmarks. The site survey was shown to the panel to demonstrate that a one-story design for the subject building would make it necessary to alter several site elements. It was concluded by the panel, that adequate space is present on the site for the subject building to be designed and constructed as a one-story building meeting the exceptions to 2006 MBC, Section 903.2.7. Thus, it is technically feasible to meet the above-mentioned code requirements.

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Decision:

The plan review determination of the State of Michigan, Bureau of Construction Codes, Plan Review Division is upheld based on the fact that compliance with 2006 MBC, Section 903.2.7, exceptions has not been demonstrated. The petitioner did not demonstrate that compliance with this code requirement could be achieved with the two-story building design that is the subject of the plan review determination and there were no alternatives offered (exceeding the code) to compensate for not complying with the exceptions of Section 903.2.7.

THEREFORE, it is ordered that the request for relief from the requirements of 2006 Michigan Building Code, Section 903.2.7 be denied as described above. This order is binding on all parties unless appealed in accordance with the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, Section 125.1518.



MICHIGAN CONSTRUCTION CODE COMMISSION

Don Pratt, Chairperson
Panel of Appeals

10/6/10
Date