



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

ELEVATOR SAFETY BOARD
Ottawa Building, Upper Level Conference Room 3
611 West Ottawa Street
Lansing, MI 48933

April 11, 2023

Mr. Drew Wildenhaus
TK Elevator
3532 Industrial Road
Livonia, MI 48150

DECISION OF THE ELEVATOR SAFETY BOARD

On December 13, 2022, the Elevator Safety Board reviewed the Variance Request for Oakland University South Foundation Hall; Variance 2 located at 308 Meadow Brook Road, Rochester, MI 48309 for relief from the requirements of Sections 2.2.7, 2.4.1.1, 2.4.1.3, and 2.4.1.6 of the American Society of Mechanical Engineers (ASME) A17.1-2010. This decision is issued pursuant to Section 8(1)(c) of the Elevator Safety Board Act, 1967 PA 227.

FINDINGS AND CONCLUSIONS: Notification was made to Mr. Wildenhaus on November 29, 2022, that this matter would be addressed by the Elevator Safety Board at the meeting on December 13, 2022. The Board acknowledged receipt and reviewed the material on the matter at the meeting on December 13, 2022. Mr. Wildenhaus was present to provide testimony. Following discussion, the Board moved to deny Mr. Wildenhaus' variance request due to no refuge space and no measurement could be provided; therefore, there is loss of a level of safety.

THEREFORE, it is the decision of the Elevator Safety Board to deny relief for Mr. Wildenhaus' variance request from the requirements of Sections 2.2.7, 2.4.1.1, 2.4.1.3, and 2.4.1.6 of the American Society of Mechanical Engineers (ASME) A17.1-2010. A judicial review of this decision may be requested in accordance with the Administrative Procedures Act, 1969 PA 306, MCL 24.201 *et seq.*

cc: BCC - Elevator Section

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES

In re Brandon Bunkelman

Decision: Denial of application for elevator journeyman's license pursuant to the Michigan Elevator Licensing Act, MCL 338.2156.

Agency: Bureau of Construction Codes

Case Type: Licensing

Issued and Entered

This 16th day of February, 2023

By Andrew Brisbo, Director

Bureau of Construction Codes

Department of Licensing and Regulatory Affairs

Pursuant to MCL 408.808 and Executive Order 2017-3, Mr. Brandon Bunkelman's appeal regarding the Bureau of Construction Codes' decision to deny his application for an elevator journeyman's license was presented in a regularly scheduled, public meeting before the Elevator Safety Board on December 13, 2022. After considering the parties' written submissions and oral arguments, the Elevator Safety Board unanimously voted to recommend that the Department of Licensing and Regulatory Affairs affirm the denial of Mr. Bunkelman's application for an elevator journeyman's license.

On February 16, 2023, the Elevator Safety Board issued a written recommendation that the Department of Licensing and Regulatory Affairs deny Mr. Bunkelman's appeal, and affirm the Bureau of Construction Codes' decision to deny his application for an elevator journeyman's license because he failed to establish the necessary experience requirements in MCL 338.2156.

FINAL DECISION AND ORDER

After reviewing the record of Mr. Bunkelman's application and appeal and considering the recommendation of the Elevator Safety Board, the Department of Licensing and Regulatory Affairs denies Mr. Brandon Bunkelman's appeal and affirms the Bureau of Construction Codes' decision to deny Mr. Bunkelman an elevator journeyman's license due to a lack of experience as required by MCL 338.2156.

This Order shall be effective on the date signed below by the Director of the Department of Licensing and Regulatory Affairs (LARA).

Andrew Brisbo, Director
Bureau of Construction Codes
Michigan Department of Licensing & Regulatory Affairs

Date



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April 11, 2023

Mr. Breck Peterson
Elevator Solutions Inc.
P.O. Box 328
Lake Orion, MI 48361

DECISION OF THE ELEVATOR SAFETY BOARD

On December 13, 2022, the Elevator Safety Board reviewed the Variance Request for Happy's Pizza located at 30995 Northwestern Highway, Farmington Hills, MI 48334 for relief from the requirements of Section 8.7.2.28 of the American Society of Mechanical Engineers (ASME) A17.1-2010. This decision is issued pursuant to Section 8(1)(c) of the Elevator Safety Board Act, 1967 PA 227.

FINDINGS AND CONCLUSIONS: Notification was made to Mr. Peterson and Mr. Greg Wordlaw on November 29, 2022, that this matter would be addressed by the Elevator Safety Board at the meeting on December 13, 2022. The Board acknowledged receipt and reviewed the material on the matter at the meeting on December 13, 2022. Mr. Peterson was present to provide testimony. Following discussion, the Board moved to approve Mr. Peterson's variance request with the condition that the power source from old smoke detectors be removed and the fire services operation comply with the code the elevator was originally installed under.

THEREFORE, it is the decision of the Elevator Safety Board to grant relief for Mr. Peterson's variance request from the requirements of Section 8.7.2.28 of the American Society of Mechanical Engineers (ASME) A17.1-2010 as specified above. A judicial review of this decision may be requested in accordance with the Administrative Procedures Act, 1969 PA 306, MCL 24.201 *et seq.*

cc: BCC - Elevator Section



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April 11, 2023

Mr. John Simmons
Great Lakes Elevator
530 East Grand River Road
Williamston, MI 48895

DECISION OF THE ELEVATOR SAFETY BOARD

On December 13, 2022, the Elevator Safety Board reviewed the Variance Request for Heritage Hall – MI State Capitol located at 208 N. Capitol Avenue, Lansing, MI 48933 for relief from the requirements of Michigan Elevators Rules, R 408.7043. This decision is issued pursuant to Section 8(1)(c) of the Elevator Safety Board Act, 1967 PA 227.

FINDINGS AND CONCLUSIONS: Notification was made to Mr. Simmons on September 12, 2022, that this matter would be addressed by the Elevator Safety Board at the meeting on December 13, 2022. The Board acknowledged receipt and reviewed the material on the matter at the meeting on December 13, 2022. Messrs. Chad Clarke, Christman Company, Ben Tellian, Quinn Evans Architects, Dion Cooper, VDA Consulting, and Scott Simmons, Great Lakes Elevator were present to provide testimony. Following discussion, the Board moved to approve Mr. Simmons' variance request with the conditions that there be a common keyed lock between both rooms and proper signage in both the mechanical and auxiliary space.

THEREFORE, it is the decision of the Elevator Safety Board to grant relief for Mr. Simmons' variance request from the requirements of Michigan Elevators Rules, R 408.7043 as specified above. A judicial review of this decision may be requested in accordance with the Administrative Procedures Act, 1969 PA 306, MCL 24.201 *et seq.*

cc: BCC - Elevator Section



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April 11, 2023

Mr. Josh VanSickle
KONE Elevator
5300 Clay Avenue SW
Grand Rapids, MI 49548

DECISION OF THE ELEVATOR SAFETY BOARD

On December 13, 2022, the Elevator Safety Board reviewed the Variance Request Kohl's Grandville located at 3790 Rivertown Parkway SW, Grandville, MI 49418 for relief from the requirements of Sections 2.2.2.3 through 2.2.2.6 of the American Society of Mechanical Engineers (ASME) A17.1-2010. This decision is issued pursuant to Section 8(1)(c) of the Elevator Safety Board Act, 1967 PA 227.

FINDINGS AND CONCLUSIONS: Notification was made to Mr VanSickle on November 29, 2022, that this matter would be addressed by the Elevator Safety Board at the meeting on December 13, 2022. The Board acknowledged receipt and reviewed the material on the matter at the meeting on December 13, 2022. Mr. VanSickle was present to provide testimony. Following discussion, the Board moved to approve Mr. VanSickle's variance request as submitted with no requirement for a sump pump to be installed.

THEREFORE, it is the decision of the Elevator Safety Board to grant relief for Mr. VanSickle's variance request from the requirements of Sections 2.2.2.3 through 2.2.2.6 of the American Society of Mechanical Engineers (ASME) A17.1-2010. A judicial review of this decision may be requested in accordance with the Administrative Procedures Act, 1969 PA 306, MCL 24.201 *et seq.*

cc: BCC - Elevator Section



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April 11, 2023

Mr. Barry Mole
All Access Lift LLC
407 Woods Edge Drive
Hastings, MI 40958

DECISION OF THE ELEVATOR SAFETY BOARD

On December 13, 2022, the Elevator Safety Board reviewed the Variance Request for Megan Walendzik Residence located at 3331 Spring Street, Hudsonville, MI 49426 for relief from the requirements of Section 2.6.5 of the American Society of Mechanical Engineers (ASME) A18.1-2011. This decision is issued pursuant to Section 8(1)(c) of the Elevator Safety Board Act, 1967 PA 227.

FINDINGS AND CONCLUSIONS: Notification was made to Mr. Mole and Ms. Megan Walendzik on November 29, 2022, that this matter would be addressed by the Elevator Safety Board at the meeting on December 13, 2022. The Board acknowledged receipt and reviewed the material on the matter at the meeting on December 13, 2022. Mr. Mole was present to provide testimony. Following discussion, the Board moved to approve Mr. Mole's variance request as submitted.

THEREFORE, it is the decision of the Elevator Safety Board to grant relief for Mr. Mole's variance request from the requirements of Section 2.6.5 of the American Society of Mechanical Engineers (ASME) A18.1-2011. A judicial review of this decision may be requested in accordance with the Administrative Procedures Act, 1969 PA 306, MCL 24.201 *et seq.*

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April 11, 2023

Mr. Drew Wildenhaus
TK Elevator
3532 Industrial Road
Livonia, MI 48150

DECISION OF THE ELEVATOR SAFETY BOARD

On December 13, 2022, the Elevator Safety Board reviewed the Variance Request for Oakland University South Foundation Hall; Variance 1 located at 308 Meadow Brook Road, Rochester, MI 48309 for relief from the requirements of Sections 2.4.7, 2.4.1.3 and 2.4.1.6 of the American Society of Mechanical Engineers (ASME) A17.1-2010. This decision is issued pursuant to Section 8(1)(c) of the Elevator Safety Board Act, 1967 PA 227.

FINDINGS AND CONCLUSIONS: Notification was made to Mr. Wildenhaus on November 29, 2022, that this matter would be addressed by the Elevator Safety Board at the meeting on December 13, 2022. The Board acknowledged receipt and reviewed the material on the matter at the meeting on December 13, 2022. Mr. Wildenhaus was present to provide testimony. Following discussion, the Board moved to deny Mr. Wildenhaus' variance request due to not enough space; therefore, losing a level of safety.

THEREFORE, it is the decision of the Elevator Safety Board to deny relief for Mr. Wildenhaus' variance request from the requirements of Sections 2.4.7, 2.4.1.3 and 2.4.1.6 of the American Society of Mechanical Engineers (ASME) A17.1-2010. A judicial review of this decision may be requested in accordance with the Administrative Procedures Act, 1969 PA 306, MCL 24.201 *et seq.*

cc: BCC - Elevator Section