

The City of Brookings Board of Appeals was called to order by Chairperson Houtman on Wednesday, September 11, 2019 at 9:00AM in Conference Room #142 on the first floor of the City & County Government Center at 520 3<sup>rd</sup> Street. Members present were Paul Sahr, Spencer Hawley, Jon Meendering, Dave Ekern, and Houtman. Also present were Building Services Administrator Jared Thomas, Building Inspector TJ Chandler, and City Engineer Jackie Lanning.

**Item #2** – (Ekern/ Spencer) Motion to approve the agenda. All present voted aye. **MOTION CARRIED.**

**Item #3** – (Ekern/Spencer) Motion to approve the minutes from the July 8, 2019 meeting. All present voted aye. **MOTION CARRIED.**

**Item #4** - ***Discussion on Adoption of 2018 I-Codes and Amendments***

Thomas handed out a draft ordinance showing language changes to adopt the 2018 Codes. Lanning described that the next code cycle will be in 2021 and the City is looking at adopting the 2018 Codes with amendments. Houtman asked if there was a timeline to adopt the code. Thomas said adopting the code to be effective in January is preferred, but it could be adopted later. He mentioned that the City Manager advised having a task force regarding the energy chapter to get input from other people.

Thomas described the amendments will be grouped by IRC and IBC in the ordinance. Section 105.5, expiration, may be rewritten with the goal of a 2 year maximum. Houtman indicated some applicants for the Board of Adjustment and it is hard to make applicants remove their work and the fee for working without a permit is minimal. Houtman said people should be educated that they need a permit for certain projects. Meendering said a multiplier could be used with a cap. Hawley said the bigger issue is if the work requires a variance.

General section R1112.1 was clarified. The group discussed footing depths, which was proposed at 42". R302.13, Fire protection of floors was discussed. Thomas recommended floor assemblies over the crawl space and unfinished basements. Houtman described that the fire department would not know if the basement was built to code or not. Houtman described some home owners finish their basements without a permit. The building code allows 1/2" sheet rock, untaped. Meendering mentioned most home owners use their basements for storage even if the space is not finished. The committee discussed fire blocking and mechanical room finishes. Chandler stated the mechanical room would be the most important room to have a finished ceiling. Thomas said this topic will need further discussion with contractors.

Section R310.1, Emergency Escape, was discussed. Minimum opening area was discussed regarding the 4.6 square feet. Houtman mentioned the 4.6 square foot window fits within the 30" block for basement windows, which is covered under the existing building code. Meendering said manufactures are building windows that meet the code. The 5.0 SF window may require a different sill height.

Section R311.7.7.5, Grip size of hand rails, was discussed. Thomas wrote an exception

for the graspable hand rail. The smoke alarm section was discussed which was recommended. The committee discussed the curb and gutter requirement. Spencer mentioned in Sioux Falls, the City pays for the utilities street up front and then the developer pays the city back as a revolving loans and pays the City back, or is there a lien on the lot? The goal would be to construct the street correctly up front and then there are fewer issues later on. Meendering asked if the responsibility could be placed on the developer and how to do that.

R401.3 was discussed, which is redundant and could be removed. The Board discussed frost protected foundations previously. Thomas said builders have used engineered plans that use Section 403.3, which is already in the code. Houtman recalled the issue was the soil testing and compaction. The group also discussed whether the building is heated, footing depth, and subgrade material. Sahr stated he has seen issues where the subgrade is poor and the structure could move. Chandler said he agreed that the subgrade material makes a difference for the shallow footing. The board should review this section and whether it should be amended.

Thomas is meeting with the Sustainability Commission about the Energy code. The group discussed the code. Some communities have adopted the R19 wall, however, the R19 wall can't be achieved with R19 insulation. There was discussion about the wall construction, air exchangers, energy efficiency, and affordable housing. Ekern brought up that the unfinished basement also loses heating.

#### **Item #5 - Discussion on 2018 IRC; Chapter 11 Task Force**

Thomas explained that the City Manager has suggested a Task Force be formed to discuss the code amendments. This group will need to consist of less than 3 of the Board of Appeals members. Sahr and Ekern agreed to be on the task force. It was also discussed that there possibly be members from the Sustainability Committee and local contractors.

#### **Item #6 - Discussion on Code Change Procedure and Schedule**

Thomas stated that ideally the first reading for the code changes should be November 12, 2019 with a second reading on November 26<sup>th</sup> followed by the third reading on December 10<sup>th</sup>. With this schedule, the new code and amendments would start January 1, 2020.

The next meeting of the Board of Appeals is tentatively scheduled for September 25<sup>th</sup> at 9:00 AM.

#### **Item #7 - Adjournment**

Submitted by:  
Jackie Lanning, City Engineer