

SPECIAL MEETING  
ZONING BOARD OF APPEALS  
MINUTES OF MEETING  
September 6, 1989

Members Present: Joyce Bowden, Dave Anderson, Bill Colbath

Also Present: Steve Stancel and Thomas Clark

Meeting called to order at 7:00.

1. Darlene Colwell, 410 Tolend Road A/K/A Assessor's Map F, Lot 11-F, zoned R-40 requests an appeal from a decision of the Building Inspector concerning ceiling heights in a newly constructed single family dwelling. (Article 7, Section 708.1 from 1984 BOCA Basic National Building Code)

Ms. Bowden asked Darlene Colwell if she wished a postponement as there were only three Board members present. She turned down the offer.

Tom Clark explained the City's side of the appeal. He said that the inspectors noticed ceiling deficiency during the plan review and made notes on the plan which was returned to the applicant. He also noticed low ceilings upon inspection.

Joyce Bowden questioned the reason for the 7' 6" ceiling height.

Tom Clark responded that it was thought to be the "comfort zone" for the averaged height male.

Dave Anderson asked if Mr. Clark has come across this before.

Tom Clark responded that he hadn't.

Discussion ensued concerning Tom Clark's notes on the applicant's Building Permit Plan.

Darlene Colwell stated that she never received a copy of the plans back and was never informed until two weeks ago of the need for 7' 6" ceilings. She said that there was no malice intended on her part.

Discussion ensued regarding the life safety codes and the BOCA Building codes and the fact that all ceilings must be 7' 6" if you overlap both codes.

Ms. Colwell stated that she had met with Fire Chief Bibber and assistant Chief Dellner who said that there would be no problem.

Mr. McMaster, the builder, explained that the 7' ceiling was constructed in order to meet a certain pitched roof on the dormers.

Joyce Bowden asked Mr. McMaster if he checked the Building codes in Dover before building.

Mr. McMaster answered that he had not.

Ms. Colwell stated that the structure is not a fire hazard or public safety concern.

Joyce Bowden expressed concern that a builder would not read the codes in the respective communities in which he works.

Discussion ensued regarding whether or not the builder should have known the Building Codes.

Bill Colbath moved to deny the request.

Joyce Bowden seconded the motion.

Passed 2 to 1

**DENIED**

Meeting adjourned at 7:57 PM.