



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Final

Board of Building Appeals

Thursday, December 9, 2021

4:00 PM

Council Chambers, City Hall

1. Call to Order

2. Roll Call

Present 5 - Robert Ford, Dan Budde, Jason Romenesko, Sarah Wilke, and Brian Trautman

3. Public Comment

4. Approval of Minutes

A. [ID#21-3062](#) Minutes for the Meeting of August 17, 2021.

Motion made by Budde and seconded by Wilke to approve ID#21-3062. The minutes passed unanimously.

5. New Business

[ID#21-3258](#)

The appeal of Sandra Meunier, owner, of the property at 1520 Minor Ln., to appeal the cited code violation of the Uniform Dwelling Code, section, SPS 321.04(2)(d), Stairways and elevated areas, as referenced by section 16.01(b) of the Waukesha Building Code. The existing home was built in 1970, therefore, the owner is permitted to appeal the requirements as allowed in code section 16.17 of the Waukesha Building Code. The appellant alleges the provisions of the code do not cover the ceiling height at landings that was permitted by code in effect at the time of construction. If the appeal is granted, the appeal would allow the ceiling height at the landing to be less than the required 6'4". This would vary from the requirements of the Uniform Dwelling Code.

SPS321.04(2)(d) Headroom.

1. Stairways shall be provided with a minimum headroom clearance of 76 inches measured vertically from a line parallel to the nosing of the treads to the ceiling, soffit, or any overhead obstruction directly above that line.
2. The headroom clearance shall be maintained over an intermediate landing.
3. The headroom clearance shall be maintained over a landing that is at the top or bottom of a stairway for a minimum distance of 36 inches in the direction of travel of the stairway.

Motion made by Romanesko, seconded by Budde to grant the variance to allow no less than 74 inch clearance at the stair landing in the basement.

Aye: 5 - Robert Ford, Dan Budde, Jason Romanesko, Sarah Wilke and Brian Trautman

[ID#21-3257](#)

The appeal of Casey Miller, owner, to appeal the cited violations of the Uniform Dwelling Code, sections, SPS321.04(2)(d)3, SPS321.04(4)(b), SPS321.04(2)(d)1 SPS 321.06, as referenced by section 1601(b) of the Waukesha Building Code. The existing home was built in 1920, therefore, the owner is permitted to appeal the requirements as allowed in Code Section 16.17 of the Waukesha Building Code. The appellant alleges the provisions of the code do not cover headroom height at bottom landing of the stairway the width of the stair, and landing depth in direction of travel and ceiling height in the basement. If the appeal is granted, the appeal would allow the stairway width to be less than the required 36" and the landing at the bottom of the stairwell to be less than the minimum of 36" wide and 3' in length of the direction of travel. It would allow the ceiling height in the stairway to be less than the required 6'4". It would allow a ceiling height of less than the required 7'. This would vary from the requirements of the Uniform Dwelling code.

SPS321.04(2)(a)1

(a) Width.

1. Except for spiral staircases under sub. 2., stairways shall measure at least 36 inches in width

SPS321.04(2)(a)1

SPS321.04(2)(d)1

d) Headroom.

1. Stairways shall be provided with a minimum headroom clearance of 76 inches measured vertically from a line parallel to the nosing of the treads to the ceiling, soffit or any overhead obstruction directly above that line.

SPS321.04(4)(b)

(b) Landings at the top and base of stairs. A level landing shall be provided at the top and base of every stairs except as provided in par. (d). The landing shall be at least as wide as the treads and shall measure at least 3 feet in the direction of travel.

SPS321.06

(1)

(a) Rooms may have ceiling heights of less than 7 feet provided at least 50% of the room's floor area has a ceiling height of at least 7 feet. Any area with a ceiling height of less than 5 feet may be ignored in this calculation.

A motion was made by Trautman, seconded by Member Wilke, that this Business item be approved with the following conditions:

- 1) Nothing is to be added to the ceiling (finishing materials),**
- 2) Remove the drywall on the beam at the bottom of the stairwell to gain 3 inches of clearance. The entire run of the beam does not need to have drywall removed.**

The motion carried by the following vote:

Aye: 4 - Robert Ford, Dan Budde, Sarah Wilke and Brian Trautman

Nay: 1 - Jason Romenesko

6. Adjournment