



**CITY OF URBANA**  
***Property Maintenance Code Board of Appeals***

**Notice of Meeting**

DATE: March 3, 2010

TIME: 4:00 P.M.

PLACE: ***Community Development Conference Room***  
***City Building***  
*400 South Vine Street*  
*Urbana, Illinois 61801*  
*217/384-2443*

**AGENDA**

- I Call to Order
- II Old Business
- III New Business
  - PMCBA-10-V-1;  
709 ½ S. Vine St.; PI: 92-21-17-264-013;  
Carol Snyder, Owner  
Request for a variance in ceiling height.
- IV Other
- V Adjournment



DEPT. OF COMMUNITY DEVELOPMENT SERVICES

*Building Safety Division*

m e m o r a n d u m

TO: Property Maintenance Code Board of Appeals

FROM: Clay Baier, Housing Inspector

DATE: February 16, 2010

SUBJECT: PMCBA-10-V-01; 709½ S. Vine St.; PI# 92-21-17-264-013  
Carol Snyder, Owner

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**BACKGROUND**

This one story single family residence was constructed in 1933. It is located on the rear of a residential lot which also houses 709 S. Vine, a single family residence which was constructed in 1928. The current owners purchased this property approximately 30 years ago and have rented this house ever since.

**SITUATION**

A housing inspector conducted a routine inspection of the subject property on December 7, 2009, pursuant to the City of Urbana's systematic inspection program. Upon inspection, the following violations were discovered:

1. The bedroom in the basement is lacking emergency egress requirements as it related to window dimensions and sill height, (PM-701.8 and 701.8.1).
2. The bedroom sleeping area in the basement contains a fuel burning water heater, (PM-504.4).
3. The bedroom in the basement is lacking adequate ceiling height, (PM-404.3).
4. The stairs leading to the basement are lacking adequate clearance of headroom height, (PM-404.3).
5. The bathroom in the basement is lacking adequate ceiling height, (PM-404.3). The bathroom in the basement is lacking an exhaust fan, (PM-403.2).
6. The stairs leading to the basement are lacking a handrail, (PM-306.1).

The owners immediately relocated the bedroom to the first floor, which meets all applicable property maintenance codes. The owners have agreed to remove and raise the floor in the closet above the staircase, which will allow a minimum headroom clearance at the stairs of 6'8". The owners have also agreed to install a bathroom exhaust fan and the owners have agreed to install a handrail on the stairs.

The applicable code Sections cited reads as follows:

**PM-404.3 Minimum Ceiling Heights:** Habitable spaces, other than kitchens, shall have a clear ceiling height of not less than seven feet. Hallways, corridors, laundry areas, bathrooms, toilet rooms, and kitchens shall have clear ceiling height of not less than six feet ten inches.

**Exceptions:**

1. Beams or girders spaced not less than four feet on center and projecting not more than four inches below the required ceiling height, provided the minimum clear height is not less than six feet eight inches.
2. In attics and top half-stories, the ceiling height shall not be less than seven feet over not less than one-third of the minimum area required by this code when used for sleeping, study, or similar activity. In calculating the floor area in such rooms, only those portions of the floor area of the room having a clear ceiling height of five feet or more shall be included.
3. Basement rooms in one and two family dwellings used exclusively for laundry, study, or recreational purposes having a ceiling height of not less than six feet eight inches with not less than six feet four inches of clear height under beams, girders, ducts, and similar obstructions.

**702.1 General (means of egress).** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the *International Fire Code*.

**QUESTION BEFORE THE BOARD**

May a variance be granted to allow the basement bathroom of the house to be utilized which is lacking adequate headroom requirements with an existing ceiling height of 6'3" to 6'4" for the life of the building?

**STAFF RECOMMENDATION**

This house was originally constructed in 1933, before the City completed building inspections as we do today. The owners have agreed to correct violations one through six as listed in this report. Once these violations are corrected, staff does not see any life safety threats to the occupant. This house has been well maintained and does not distract or devalue any of the surrounding properties. Staff recommends approval of the bathroom in the basement as habitable space with the existing ceiling height of 6'3" to 6'4".

CRB:vpp

CITY OF URBANA  
UNIFORM VARIANCE APPLICATION

To: Chairperson  
Board of Appeals  
400 S. Vine St.  
Urbana, IL 61801

Building Safety Code Board of Appeals  
 Property Maintenance Code Board of Appeals

DO NOT WRITE IN THIS SPACE -- FOR OFFICE USE ONLY  
Date Filed: 2/14/10 Variance Application No. 10-V-01

Date Set for Hearing: \_\_\_\_\_ Date Hearing Held: \_\_\_\_\_

Notice to News Media: \_\_\_\_\_ Date: \_\_\_\_\_

Fee Paid -- Receipt No.: \_\_\_\_\_ Amount: \$ 150.00 Date: 2/16/10

COMMENTS: (Indicate other actions such as continuances) \_\_\_\_\_

Action by Board on Request for Variance: \_\_\_\_\_  
(granted, denied, other)

DATA ON APPLICANT AND OWNER

Name of Applicant(s): CAROL SLYAER

Address of Applicant(s): 709 S. VINE ST., URBANA, ILL.

Property Interest of Applicant(s): OWNER  
(owner, contract purchaser, etc.)

Name of Owner(s): SAME

Address of Owner(s): SAME

VARIANCE REQUESTED \_\_\_\_\_ Date of Request: 02/15/10

Type of Variance Requested: CEILING HEIGHT IN BASEMENT

Address of Property: 709 1/2 S. VINE ST., Urbana, IL 61801  
(street address)

Legal Description: LOT #6 IN BLOCK ONE OF FAIRGROUNDS ADDITION  
(attach if necessary)

Present Use: RENTAL HOUSE Proposed Use: RENTAL HOUSE  
(vacant, residence, store, factory, etc.)

**REASONS FOR VARIANCE REQUEST**

Note: The following questions must be answered completely. **If additional space is necessary, please attach extra pages to application.**

1. What types of modifications would allow you a reasonable use of your building?  
Change in requirement for:

- Window Area     Drainage     Means of Egress
- Ventilation     Ceiling Height     Other \_\_\_\_\_

2. Describe the current situation, giving dimensions where appropriate.

THE EXISTING FINISHED CEILING HEIGHT IN THE BASEMENT AND BATHROOM THEREIN, IS 6'-9" +/-.

3. What conditions restrict you from meeting code requirements?

THERE IS NO PRACTICAL OR ECONOMICALLY FEASIBLE WAY TO CORRECT THE SITUATION AND BECOME MODERN CODE COMPLIANT.

4. To the best of your knowledge, can you affirm that the situation described above was not created by yourself or a previous property owner by not getting proper authorization or obtaining permits to do work after the code became law?

- YES                     NO

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**PREVIOUS ACTIONS BY APPLICANT ON PROPERTY**

- Yes     No                    Have you ever filed an application for variance for this property in the past?
- Granted     Denied                    What action did the Board take on that request?

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Wherefore, petitioner prays that this petition be heard by the Board of Appeals and the variance to the regulations of the code be made as herein requested.

Respectfully submitted this 15<sup>TH</sup> day of FEBRUARY, A.D., 2010.

Carol Snyder  
Applicant

367-6797  
Phone

To be filed with:    PMCBA Secretary  
Community Development Services  
400 S. Vine St., Urbana, IL 61801

AGENTS FOR THE OWNER:  
DON ALLEN 841-4011  
DAN SNYDER 841-5063

Carol Snyder  
709 S Vine St.  
Urbana, IL 61801

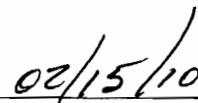
**Supplement to Uniform Variance Application**

The rental property at 709 ½ S. Vine has been owned and is rented out by Carol Snyder. She also owns and resides at the primary property on the lot, 709 S. Vine St., built in 1928. Since purchasing the properties in 1982, she has consistently had satisfied tenants in the rental house, the current tenant since 2003. Attached hereto, please note the list of functional and aesthetic improvements Carol has made to the rental property in her 28 years of ownership.

The rental house, built in 1933 by the original owner of the primary property, is structurally sound, extremely clean, well maintained, and functional housing for an individual or couple. Let's not forget, it is also part of "Historic East Urbana." Because of its vintage and size it cannot be totally code compliant by today's standards. However, we are able to and will provide for correcting some violations as noted by the City of Urbana's Systematic Inspection Program. Violations to be remedied within 30 +/- days of receipt of variance applied for are as follows:

1. Installation of an outside ducted exhaust fan in bathroom. By Aladdin Electric.
2. Installation of handrail on west side of stairs to basement. By Don Allen
3. Partial demolition and rework of closet floor above basement stair to provide 6'-8" head clearance. By Don Allen with electrical accommodation By Aladdin Electric.

  
\_\_\_\_\_  
Signed

  
\_\_\_\_\_  
Date

Donald E. Allen

## **IMPROVEMENTS**

- **new siding**
- **new gutters & downspouts**
- **installed new kitchen cabinets**
- **replaced flooring in kitchen**
- **new stove and refrigerator**
- **new flooring in bathroom**
- **new carpet**
- **new storm door**
- **replaced toilet**
- **installed wooden blinds throughout house**
- **rewired house and installed electric heating**
- **new roof**
- **replaced sewer line**
- **replaced bricks and tuckpointed chimney**
- **installed new windows**
- **replaced water line**
- **created off-street parking space**
- **replaced faucets on bathtub**
- **installed privacy fence**
- **landscaped area around the house**







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