

THE **BOARD OF APPEALS** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **WEDNESDAY, JULY 18, 2018** IN THE CITY COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING BOARD MEMBERS PRESENT: CHAD BUCK, MIKE COX AND MIKE EKEY. ABSENT WERE BOARD MEMBERS RANDY REED, LLOYD BROWN AND DICK MAYNARD. ALSO PRESENT WERE COMMUNITY DEVELOPMENT DIRECTOR JIM CADORET, BUILDING OFFICIAL JON WOERNER, AND CITY ATTORNEY JONATHAN ZERR.

1. **Call to Order** – Chairman Buck called the meeting to order at 6:16 p.m.

2. **Roll Call** -

3. **Unfinished Business** –

A. **Minutes of March 31, 2015 meeting**

On a motion by Cox, 2nd by Ekey the minutes of the March 31, 2015 meeting were approved by a 3-0 vote.

4. **New Business** –

A. **Election of Officers**

Motion by Cox, 2nd by Ekey to nominate Chad Buck as Chairperson. Motion passed 3-0.

Motion by Buck, 2nd by Ekey to nominate Mike Cox as Vice-Chairperson. Motion passed 3-0.

B. **Appeal of Building Official Determination - Renee Kerckhoff, Raymore Historical Society, 103 S. Washington Street**

City Attorney Jonathan Zerr swore in those individuals who intended to provide testimony to the Board on the case. Mr. Zerr indicated that it would take a concurrent vote of all three members for any official action to occur. He provided an overview of the action the Board could take this evening.

Building Official Jon Woerner presented his report on his code interpretation applicable to the work being conducted at 103 S. Washington Street for the new Raymore Historical Society Museum facility.

Mr. Woerner indicated this was previously a residential home and the building permit and work for the project reclassifies the building to a A-3 commercial classification. Mr. Woerner presented the Board his official written determination on the requirement for the vertical accessible grab bar to be located in the restroom in the main museum building. Mr. Woerner presented 12 exhibits that provided the Board the necessary background information for his determination that the vertical accessible grab bar is required.

Mr. Woerner closed his presentation by indicating that the vertical accessible grab bar is required under the codes adopted by the City.

Mr. Zerr asked for the Board to accept the 12 exhibits presented by Mr. Woerner.

Board members concurred on the acceptance of the exhibits.

Chairman Cox asked Mr. Woerner if there is a detail or dimensions on the wall where the bar is to be located. He asked if there is any room on the existing wall for the bar.

Mr. Woerner commented that the window is too wide for the bar to be on the side of the window.

Renee Kerckhoff, 112 Rainbow Circl, representing the Raymore Historical Society, presented her case as to why she thought the horizontal accessible grab bar met the requirements of the Code. In her application on the appeal of the Building Official determination Mrs. Kerckhoff indicated that the window in the bathroom was recently replaced and that there is a fully compliant accessible restroom in the annex building on the property.

Mrs. Kerckhoff indicated that the ADA guidelines do not require a vertical accessible grab bar.

Chairman Buck closed the applicants portion of the testimony and opened the floor to the Board for questions.

Chairman Buck asked Mrs. Kerckhoff if the ADA requirement is what is adhered to in the City.

Mrs. Kerckhoff indicated that the restrooms in City Hall do not have the vertical grab bar and that she felt the requirement has been met.

Chairman Buck asked if moving the window was a possibility.

Mrs. Kerckhoff stated that the window is a recent replacement. She was concerned on whether the reinforcement could be done that is necessary for the grab bar.

Mrs. Kerckhoff asked if a pull-down bar could be utilized.

Mr. Cox stated the vertical bar is a common requirement that plumbers deal with every day. He thought the wall could be capable of supporting the bar. He realized deconstruction would be necessary to replace the window. He asked if the window could be replaced.

Mrs. Kerckhoff stated we are a non-profit and have spent a lot of money on the project already.

Mr. Ekey asked if the issue had been discussed with the building contractor prior to the appeal being filed.

Mr. Woerner stated yes, the grab bar requirement was discussed with the project contractor. It was after this discussion that the written determination was made.

Mr. Ekey asked if the window replaced was the same size as the previous window.

Mrs. Kerckhoff indicated the new window is the same size.

Mr. Buck asked if any grab bar had been installed yet.

Mr. Woerner stated no bar is yet installed. A rough-in inspection was recently completed.

Chairman Buck asked if having a fully accessible restroom with vertical and horizontal grab bars in only one of the two buildings meet the code requirement.

Mr. Woerner commented there are two bathrooms required, and each has to be fully accessible and compliant.

Chairman Buck commented that the building codes are a complex set of documents with appendixes and can be difficult at times to fully understand. He stated that the project architect could submit a drawing offering an alternative such as a pull-down bar.

Mr. Woerner stated he could consider a modification submitted by a registered architect or engineer that provides an alternative such as a pull-down grab bar.

Chairman Buck asked if he could ask George Dahmer, the project contractor, a question.

Mr. Zerr swore in Mr. Dahmer to provide testimony to the Board.

Chairman Buck asked Mr. Dahmer if he had an opinion on the applicant's request.

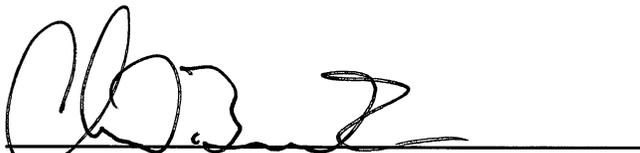
Mr. Dahmer commented that the vertical bar requirement is fairly new. Mr. Dahmer stated the proper blocking for the bar could be added.

Mr. Zerr stated three affirmative votes are needed for action. The Board can affirm or reverse the decision of the Building Official.

Board member Cox made a motion, seconded by Ekey, to deny the appeal to eliminate the vertical accessible grab bar and to affirm the determination made by the Building Official.

5. Adjournment

On a motion by Cox and 2nd by Ekey the meeting was adjourned at 7:14 pm.



Chad Buck, Chairperson