



17 NOV 10 AM 10:30

CITY OF COLUMBIA

Columbia, Missouri

APPEAL APPLICATION TO THE BUILDING CONSTRUCTION CODES COMMISSION

Notice of appeal from the Decision of Code Official in regard to the following described property in the City of Columbia, County of Boone, State of Missouri:

Legally described as (per www.showmeboone.com/assessor): lot 8 in bank sub as shown by plat recorded in plat book
 and known as (number and street) 603 McBaine 2 Page 14 record of Boone County Missouri
 Applicant(s) request a variance or ruling with respect to the above described property.
 On the 7th day of Nov., said code official disapproved _____

foundation
 The reason he gave for such action was that
Crack & support
304.6

which does not comply with Section 304.5 of the Code Book (2015)
 as adopted by the City of Columbia, Missouri, which provides or requires that:
The foundation area located at the NE corner along the N side
1 & 2 W corner of the structure display open cracks appear to
jeopardize the support.
 A copy of the notice of said official is hereto attached.

The basis for this appeal, as permitted by the International Building Code as adopted by the City of Columbia, is:
 (check **all boxes that apply**)

- ☐ The true intent of the Code or the rules legally adopted thereunder have been incorrectly interpreted.
- ☐ The provisions of the Code do not fully apply.
- ☐ An equally good or better form of construction can be used.
- ☒ Undue hardship* is created by strict compliance with the letter of the Code but has no significant effect on the health, safety and welfare of the public or any individual (***attach a cost estimate for hardship encountered**)

Applicant is requesting a variance or ruling, or both, in the way of carrying out the strict letter of the Code because:

Structure is sound.
it cost \$ 5 to 10 thousand dollars.

Applicant is proposing: I don't know.
Not to do it

Name (Print) Amir Ziv Agent (Print) SARA FERRIC

Name of Business requesting variance _____

Address P.O. Box 107, Columbia, MO 65201 Phone 573-268-8212

C.Z. 11/10/17
 Applicant Signature Date

Deliver Application with required \$120.00 check to:

Building Construction Codes Commission
 Building and Site Development
 701 East Broadway, 3rd Floor
 Columbia, Missouri 65201

**2017 Hearing Schedule and Deadlines For Notice Of Application To The
Building Construction Codes Commission
(For A Variance)**

**BCCC Meets Monthly on the Fourth Monday
A DEPOSIT OF \$120.00 WILL BE REQUIRED, TO BE REFUNDED AT MEETING
Letter of Denial Must Be Included with Completed Application**

Deadline To Appeal Must turn application by NOON	Meeting Date All meetings Will Begin at 4:30
January 06	January 23
February 10	February 27
March 10	March 27
April 07	April 24
May 05	May 22
June 09	June 26
July 07	July 24
August 11	August 28
September 08	September 25
October 6	October 23
November 10	November 27
December 01	December 18 * (3 rd Monday of the month due to Holiday)

Meetings begin at 4:30 p.m. and will be held in Conference Room 1A, at the Government Center, 701 E Broadway.

Applications must be submitted to Building and Site Development, which is located on the 3rd floor of the Government Center, 701 E Broadway.

Unofficial Document

Recorded in Boone County, Missouri

Date and Time: 03/01/2002 at 04:18:03 PM

Instrument #: 2002005673 Book: 01874 Page: 0034

First Grantor: BAKER, EDWARD L

First Grantee: ZIV, AMIR

Instrument Type: WD

Recording Fee: \$26.00


Battie Johnson, Recorder of Deeds

GENERAL WARRANTY DEED

THIS DEED, Made and entered into this 1st day of March, 2002, by and between
EDWARD L. BAKER AND KATHY ANN BAKER, HUSBAND AND WIFE

party or parties of the first part of BOONE County, State of Missouri, Grantor(s) and AMIR ZIV, A SINGLE
PERSON

party or parties of the second part of BOONE County, State of Missouri, Grantee(s).
Grantee's Mailing Address is 2112 LIMERICK LN COLUMBIA, MO 65203

WITNESSETH, that the said party or parties of the first part, in consideration of the sum of Ten Dollars and other valuable considerations paid by
the said party or parties of the second part, the receipt of which is hereby acknowledged, does or do by these presents, GRANT, BARGAIN AND
SELL, CONVEY AND CONFIRM, unto the said party or parties of the second part the following described Real Estate, situated in the
County of BOONE, State of Missouri, to-wit:

LOT EIGHT (8) IN BANK'S SUBDIVISION AS SHOWN BY A PLAT RECORDED IN PLAT BOOK
2, PAGE 14, RECORDS OF BOONE COUNTY, MISSOURI.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

TO HAVE AND TO HOLD THE SAME, together with all the rights, immunities, privileges, and appurtenances thereunto belonging unto the said
party or parties of the second part forever, the said party or parties of the first part covenanting that said party or parties and the heirs, executors,
administrators and assigns of such party or parties shall and will WARRANT AND DEFEND the title to the premises unto the said party or parties
of the second part, and to the heirs and assigns of such party or parties forever, against the lawful claims of all persons whomsoever, excepting
however, the general taxes for the calendar year 2002 and thereafter, and special taxes becoming a lien after the date of this deed.

BOOGWD

Nora Dietzel, Recorder of Deeds

Exterior

304.2 Protective treatment

All exterior surfaces, including but not limited to, doors, door and window frames, cornices porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit such future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surface designed for stabilization by oxidation are exempt from this requirement.

- 1. There are exterior surfaces, such as window and door trims, porch areas, exterior wall areas, corners, soffit and fascia that have peeling paint, rotted and or unprotected surfaces from the weather elements. Need to properly repair and or replace any wood surfaces that are rotted. Need to properly prepare surfaces which have peeling paint or unprotected surfaces and apply a protective covering.

➤ 304.5* Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rats. All cracks that permit the entry of water, insects, or rats or jeopardize the support of the structure shall be repaired. Small cracks that do not exhibit these problems and are three-eighths (3/8) of an inch or less shall not be required to be repaired.

- 1. The foundation areas located at the northeast corner, along the north side and the northwest corner of the structure displays open cracks and appears to jeopardize the support structure which appears to be allowing the exterior wall covering to buckle outward. Need to make proper repairs or replacement of the foundation.

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

- 1. The north exterior wall has a dryer vent that has broken shutters. Need to repair or replace vent.
- 2. The north exterior wall is buckling outward which appears to be from the foundation wall which is failing which appears to permit vegetation to grow up inside or underneath the wall covering. Need to make needed repairs to any exterior wall surface damage.
- 3. The exterior wall has areas of siding that is broken or corners that are damaged. Need to repair or replace damaged siding or corners.



City of Columbia

Community Development Department

Application #: 2642

Date: November 7, 2017

AMIR ZIV
904 N 8TH ST
COLUMBIA, MO 65201

mailed to
PO BOX 107
Col, mo
65205

Re: Rental Property located at **603 MCBAINE AVE**

Dear Property Owner or Manager:

On **OCTOBER 14, 2016**, I inspected the above referenced dwelling. Enclosed please find a copy of the inspection report and notice of violations, and an invoice for the inspection fees. Section 22-188 of the Code of Ordinances requires you to pay re-inspection fees of \$43 per unit.

In order to legally rent this property, you must abate the violations and bring your property into compliance with the City of Columbia Code of Ordinances. You are hereby ordered to commence work to repair the structure immediately. You must complete the work and bring the property into compliance on or before 8:00 a.m. on **WEDNESDAY, DECEMBER 27, 2017**. Please be aware that Sect 22-184 provides that "It shall be unlawful to operate, within the City, any apartment house, rooming house, two-family dwelling or single rental unit without a current certificate of compliance being displayed in the office of the manager or in each dwelling unit or rooming unit". In addition to possible prosecution for the rental violation, the violations documented in my inspection report are also violations of City ordinances. Each day a violation exists is a separate offense.

I have scheduled the following re-inspection of your rental property to perform the legally required rental inspection pursuant to your application for a Certificate of Compliance under the Rental Unit Conservation Law.

Date: **WEDNESDAY, DECEMBER 27, 2017**

Time **10:00 AM (EXTERIOR ONLY)**

Location: **603 MCBAINE AVE**

This letter serves as official notice of your scheduled inspection. ONS staff places appointment reminder call as a courtesy if time allows.

In order to ensure the health, safety and welfare of our community and the overall quality of housing in our City, your prompt attention to this matter is appreciated.

Sincerely,

Sara Ferrill
Office of Neighborhood Services

Re-inspection Invoice

AMIR ZIV
904 N 8TH ST
COLUMBIA, MO 65201

Invoice Date: **11/7/2017**

Date of Failed Inspection: **OCTOBER 14, 2016**

Application#: **2682**

Address of Rental Property: **603 MCBAINE AVE**

Inspector: **Sara Ferrill**

Payment Due By: **WEDNESDAY, DECEMBER 27, 2017**

Total Fees Due: **\$0.00 (WAIVED PER INSPECTOR)**

Please include this invoice with your payment.

Cash or Check (payable to City of Columbia) may be delivered to the Office of Neighborhood Services at the Service Center located on the 3rd floor of City Hall at 701 E. Broadway, Columbia, MO.

or

Mail payment (by check only, payable to City of Columbia) to:
Office of Neighborhood Services
P.O. Box 6015
Columbia, MO 65205

Inspector: Bruce E Martin at 573-817-6420 or e-mail bruce.martin@como.gov

Owner / Operator:

Address of property: 603 McBaine Ave.

Amir Ziv

P.O. Box 107

Columbia, Mo. 65205

Telephone Number: 268-8212

Inspection Date: April 15, 2016

Date of Violation Notice: July 22, 2016

1st Re-Inspection: June 6, 2016 (Re-Scheduled)

1st Re-Inspection: July 15, 2016 (Interior) (Re-Scheduled)

1st Re-Inspection: October 14, 2016 (Exterior)

The violations of the 2012 International Property Maintenance Code and the 2012 International Mechanical Code, noted below, are to be corrected by the 1st re-inspection appointments of Wednesday, July 27, 2016 (Interior) and Friday, October 14, 2016 (Exterior) at 10:00 AM on the cover letter. These dates for re-inspection have been broken into a 2 part re-inspection which was originally scheduled for a previous date.

Note: The rental inspection was performed in the presence of the Senior Code Enforcement Specialist and a Columbia Police Officer by Search Warrant which authorizes inspection and administrative search of property for violations of Chapter 6 of the Columbia Code.

The inspection started about 10:00 AM and ended about 10:15 AM. with interior inspection followed by the exterior inspection.

Note: The structure being built as estimated in 1930 is described as a 2 bedroom home, 1 full bath, a total of 4 rooms of 784 sq. ft. on a crawl space.


301.2 Responsibility.

The owner of the premises shall maintain the structure and the exterior of the property in compliance with these requirements, except as other wise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with requirement of this chapter. Occupants of a dwelling unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit or premises which they occupy and control.

Interior


403.2 Bathrooms and toilet rooms. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be re-circulated.

Exception: * Structures and premises that had a current certificate of compliance during the three (3) year inspection cycle prior to January 1, 1993, may have a mechanical ventilation system that exhausts air into the attic space provided the attic space has adequate ventilation.

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1. The bathroom appears to not be receiving proper ventilation as the window is being restricted with a plastic cover over the window on the interior side. Need to install a ventilation fan or remove covering from window area.


603.1 Mechanical Appliances

All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

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- 1. The water heating appliance appears to not be properly vented. Currently the water heating appliance is in violation as installed. Class B Vent Pipe is required with proper clearance and combustible materials shall be removed from around vent pipe. This violation all hinges on the following violation of 603.5 Combustion air.

Note: The installation shall be performed by a licensed HVAC Mechanic. This work will require a permit.

603.5 Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

- 
- 1. The water heater located in the bathroom does not comply with the 2012 International Mechanical Code by having the water located in a bathroom where it obtains its combustion air from the a prohibited space. The water heater needs to comply with any of the listed exception rules or install an all-electric water heater.

2012 International Mechanical Code

Chapter 3

Section 303 Equipment and Appliance Location

303.3 Prohibited Locations

Fuel-fired appliances shall not be located in, or obtain *combustion* air from, any of the following rooms or spaces:


1. Sleeping rooms.
2. Bathrooms.
3. Toilet rooms.

4. Storage closets.

5. Surgical rooms.

Exception: This section shall not apply to the following appliances:

1. *Direct-vent appliances* that obtain all *combustion air* directly from the outdoors.
2. Solid fuel-fired appliances, provided that the room is not a confined space and the building is not of unusually tight construction.
3. Appliances installed in a dedicated enclosure in which all *combustion air* is taken directly from the outdoors, in accordance with Chapter 7. Access to such enclosure shall be through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the *International Energy Conservation Code* and equipped with an *approved* self-closing device.

 **605.2 Receptacles.** Every *habitable space* in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain at least one receptacle. Any new *bathroom* receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.


- **1. The bathroom appears to not have an electrical outlet.** Need to install a new bathroom receptacle outlet with ground fault circuit interrupter protection.
Note: The installation shall be performed by a licensed electrician. This work will require a permit.

704.2 Smoke alarms.

Single or multiple-station smoke alarms shall be installed and maintained in Group R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations.

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between adjacent levels, a smoke alarm installed in the upper level shall suffice for the adjacent lower level is less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in other groups in accordance with the International Fire Code.

-  **1. The bedroom located in the northeast corner of the structure has a smoke alarm which appears to be defective.** Need to replace smoke alarm as needed immediately as possible.

Exterior

304.2 Protective treatment

All exterior surfaces, including but not limited to, doors, door and window frames, cornices porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit such future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surface designed for stabilization by oxidation are exempt from this requirement.

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304.7 Roofs and Drainage

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstruction. Roof water shall not be discharged in a manner that creates a public nuisance.

- **1. The roof gutters on the north side appear to be allowing vegetation which may prevent proper drainage of gutters.** Need to remove vegetation.
- **2. The rear gutter on the west side of the structure is not secured as it allows water to drain from the roof between the fascia and the gutter.** Need to repair drainage problems.
- **3. There is a downspout missing from the southwest and the northwest corner of the structure.** Need to replace downspout to promote proper discharge of roof water.

304.13 Window, skylight and door frames.

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

- **1. The rear exterior door from the interior side appeared to have daylight around the door when closed.** Need to correct the rear exterior door to be weathertight.