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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 7 in bank subdivision of lots #33, 46 & 47
 and known as (number and street) 605 McBaine Ave of bank subdivision of lot 49 to 72, both inclusive, of garden addition to city
 Applicant(s) request a variance or ruling with respect to the above described property.
 On the replaced day of November, said code official disapproved ① Deteriorated rim joints to be replaced City of Columbia
 Boone County
 Missouri

The reason he gave for such action was that Rim joints exhibit significant deterioration

which does not comply with Section IPML 304.6 of the International Property Maintenance Code as adopted by the City of Columbia, Missouri, which provides or requires that:
Exterior walls shall be free from holes, breaks, and loose or rotting materials, and maintained weather-proof & properly surface coated where required to prevent deterioration

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:

The structure is sound. The cost of fixing would be about 15 to 25 thousand.

Applicant is proposing: The house has been around for about 80 years. I don't know.

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

Name of Business requesting variance #

Address P.O. Box 107, Columbia, MO 65205 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

Boone County, Missouri

673

Unofficial Document

Recorded in Boone County, Missouri

Date and Time: 02/08/2002 at 04:20:58 PM

Instrument #: 2002003536 Book: 01861 Page: 0673

First Grantor: FIRST NATIONAL BANK & TRUST CO

First Grantee: ZIV, AMIR

Instrument Type: WD

Recording Fee: \$26.00

Bettie Johnson
Bettie Johnson, Recorder of Deeds



CORPORATION GENERAL WARRANTY DEED

This is a legally binding contract. If not understood, seek competent advice.

THIS INDENTURE made this 8th day of February, 2002, by and between
FIRST NATIONAL BANK AND TRUST COMPANY

a corporation of the State of Missouri, Party of the First Part, Grantor, and AMIR ZIV, A SINGLE PERSON

Party or Parties of the Second Part, of the County of BOONE, State of MISSOURI, Grantees:
Grantee's Mailing Address: 2112 Limerick Ln. Columbia, Mo 65203

WITNESSETH, that the said Party of the First Part, for and in consideration of the sum of Ten Dollars and other valuable consideration paid by the Party or Parties of the Second Part, the receipt whereof is hereby acknowledged, and by virtue and in pursuance of a resolution of the Board of Directors of said Party of the First Part, a corporation, does by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said Party or Parties of the Second Part, their heirs and assigns, the following described estate, situated in the County of BOONE, State of Missouri, to-wit:

LOT SEVEN (7) IN BANK'S SUBDIVISION OF LOTS NO. 33, 46 AND 47 OF GARTH'S
SUBDIVISION OF LOTS 49 TO 72, BOTH INCLUSIVE, OF GARTH'S ADDITION TO THE CITY
OF COLUMBIA, BOONE COUNTY, MISSOURI.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

TO HAVE AND TO HOLD the same, with all and singular the rights, privileges, appurtenances and amenities thereto belonging or in any wise appertaining, unto the said Party or Parties of the Second Part and their heirs and assigns, FOREVER, and the said Party of the First Part hereby covenants that it is lawfully seized of an indefeasible estate in fee simple in the premises herein conveyed; that it has good right to convey the same; that the premises are free and clear of any encumbrances whatsoever done or suffered by it or those under whom it claims; that it will make and execute such other and further assurances and do such other acts and things as may be necessary for perfecting the title and confirming the premises hereby granted; and that it will warrant and defend the title to said premises unto the said Party or Parties of the Second Part and their heirs and assigns, against the lawful claims of all persons whomsoever; excepting, however, the general taxes for the year 2002, special assessments becoming a lien after the date of this deed

BOOCGWD

Nora Dietzel, Recorder of Deeds

Inspector: Sara J. Ferrill at 573-874-6351 or e-mail sara.ferrill@como.gov

Application number: # 1934

Address of property: 605 McBaine Ave.

Amir Ziv

PO Box 107

Columbia, MO 65205

Telephone number: 573-268-8212

Inspection Date: 05/25/2017

Date of Violation Notice: 06/01/2017

The violations of the International Property Maintenance Code 2015, noted below, are to be corrected by the re-inspection appointment on the cover letter.

Interior

[F] 704.2.1.2 Groups R-2, R-3, R-4 and I-1.

Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 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* but not including crawl spaces and uninhabitable attics. In *dwelling*s or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

- **There is not a working smoke alarm in this property. Place a working smoke alarm outside AND inside the east facing bedroom and inside AND outside of the master bedroom.**

304.18 Building security.

Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupant s and property within.

304.18.1 Doors.

Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

304.18.1.1 * Exception: Doors between dwelling units and fully enclosed

attached, garages are not required to have dead bolt locks. (All other swinging egress doors from structure are required to have dead bolts.)

304.18.2 Windows.

Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device.

304.18.3 Basement hatchways.

Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

- **The windows in the east facing bedroom will not lock. Repair, restore or replace the window locking mechanism so that the window is capable of being locked from the inside.**
- **The window in the mech room will not lock. Repair, restore or replace the window locking mechanism so that the window is capable of being locked from the inside.**

605.1 Installation.

Electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

605.2 Receptacles.

Every *habitable space* in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain not less than 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.

- **The outlet in the north facing, middle room is in disrepair and lacks a face plate. Repair, restore or replace the outlet. Place a faceplate on the outlet.**

305.1 General.

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

- **There is a large hole in the north facing wall of the north facing middle room. This hole penetrates to the exterior wall. Repair, restore or replace the wall so it is in good condition and free from defects.**
- **There is a large hole in the north facing middle room closet. At the time of inspection there appeared to be a plastic bag stuffed into it. Water drips from this hole. The ceiling shall be repaired, stored or replaced so that is in in good**

condition and free from defects and leaks.

- There is a knob missing from the kitchen cabinet. Replace the knob.

305.3 Interior surfaces.

Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

- The east facing wall under the window is in disrepair, there is a large crack and a dark residue that is consistent with mold is present. Repair, restore or replace the wall so it is in good condition and free from defects. Once that is corrected
- The ceiling in the kitchen is in disrepair and not in sanitary condition. Repair, restore or replace the ceiling so it is in good condition and free from defects.
- The flooring in the kitchen is in disrepair / the linoleum has reached the end of its lifetime / the subfloor is present. The linoleum cannot be salvageable and the flooring in the kitchen shall be replaced and the subfloor protected.
- The closet door in the north facing middle room is in disrepair. Repair, restore or replace the door so it is in good condition and free from defects.
- The door trims in all bedrooms are damaged, have dozens of holes in them or are in disrepair. Replace the door trims that have holes / damage.
- The west facing bathroom door is in disrepair. Repair, restore or replace the door so it is in good condition and free from defects.
- The shelf and wall under the kitchen sink has been damaged from a water leak and there is a dark residue consistent with the characteristics of mold present. Repair, restore or replace the shelf and wall under the kitchen sink. Remove the dark residue from all surfaces under the sink in accordance with accepted industry practices.
- The caulk around the bathtub is not in good condition and there is no longer a seal between the bathtub and the wall/floor. Re-caulk the seal around the bathtub so there is a water tight seal.
- The backsplash above the kitchen counter is not adequately attached and is falling apart from the wall. Repair, restore or replace the backsplash, ensuring there is not a gap between it and the wall / counter top.
- The east facing wall in the living room under the window is in disrepair. There is a large gap present and a dark residue that is characteristic of mold. Repair, restore or replace the wall; remove the residue in accordance with accepted industry practices.

305.6 Interior doors.

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

- The north facing middle room closet is missing the doorknob. Replace the doorknob.

- There closet doors in the master bedroom are missing the doorknobs. Replace the doorknobs.
- The west facing bathroom door will not latch. Repair, restore or replace the hardware so that the door latches when closed.

[P] 504.1 General.

Plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. Plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

- The toilet in the west facing bathroom is loose. Repair, restore or replace the toilet so it is firmly anchored to the floor.
- There is a water leak under the kitchen sink. Repair, restore or replace the pipes / plumbing so that water flows freely down the drain and water does not leak.

505.3 Supply.

The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

505.4 Water heating facilities.

Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a minimum temperature of 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

- Hot water is not able to be adequately drawn from the bathtub and sink in the north facing bathroom. Repair, restore or replace the plumbing so that an adequate amount of hot water can be drawn in the bathroom.

Exterior

304.13 Window, skylight and door frames.

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

304.13.1 Glazing.

Glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows.

Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

- The front door is not weather tight; wind and the elements pass through a gap. Repair, restore or replace the door, place weather stripping where needed so that the door is weather tight.

304.15 Doors.

Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

- **The front storm door is rotten and in disrepair. The handle is broken.**
Repair, restore or replace the door and all damaged portions of the door.

307.1 General.

Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall be not less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall be not less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: Guards shall not be required where exempted by the adopted building code.

307.1.1 * Guard standards. Guards may be constructed of slats in a horizontal, vertical or any other pattern and shall not allow passage of a six (6) inch diameter sphere through any opening.

- **The guardrails on the front stairs are in disrepair and not firmly anchored.**
Repair, restore or replace the guardrails, ensuring they are firmly anchored.

302.1 Sanitation.

Exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition.

304.1 General.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.2 Protective treatment.

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. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.6 Exterior walls.

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.

- The window trim on all the windows in this property are in disrepair, rotten and lack proper protective treatment. Repair, restore or replace all damaged trim. Once that has been remedied, properly prepare the surface and apply a weather resistant protective treatment.
- The siding on all sides of this property is in disrepair. There are several portions that are rotten or are missing, specifically the south side has siding missing and the framing and interior wall of the structure is viewable. Remove and replace all rotten, damaged siding. If the siding is missing, replace it. This shall be done with good workmanship.
- The rim joist all around the structure is damaged and exhibiting "dry rot." The rim joist is viewable because the siding is in such bad condition, it is exposed. The rim joist is not salvageable. Replace the rim joist all around the structure. It will be necessary for a Building Permit to be acquired prior to commencement of work. Contact Building and Site Development at 874-7690 or visit the 701 E. Broadway, 3rd Floor Service Center for more information. A Certificate of Compliance will not be granted until all BSD inspections have been carried out and received approval from BSD inspectors.
- The soffit on the structure is not in good condition and is not firmly attached and in some areas is hanging down. Repair, restore or replace the soffit on the structure. Once that has been completed, properly prepare the surface and apply a weather resistant protective treatment.

304.1 General.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;

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 obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

- The roof on this structure is not in good condition and allows rain and water to enter the structure. Repair, restore or replace the roof so that it is in good condition and free from defects.
- There is a flashing on the roof that is viewable from the northern side of the

structure that is not in good condition, is not flush with the structure and is not serving its purpose as evidenced by water leaking into the room below it. Repair, restore or replace the flashing / roof so that it is in good condition, free from defects and does not allow water into the structure.

- There is organic debris on the northern side of the roof. Remove the debris.

308.1 Accumulation of rubbish or garbage.

Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

- There are tires and rubbish present on the property. Remove all rubbish from the property in an approved manner.