



City of Ann Arbor

Formal Minutes - Final

Building Board of Appeals

301 E. Huron St.
Ann Arbor, MI 48104
[http://a2gov.legistar.com/
Calendar.aspx](http://a2gov.legistar.com/Calendar.aspx)

Thursday, November 15, 2018

1:30 PM

Larcom City Hall, 301 E Huron St, Second
floor, City Council Chambers

A CALL TO ORDER

B ROLL CALL

*Staff: 6 - G. Dempsey, R. Miller, K. Summersgill, K. Larcom, D. Williams,
Z. Waas Smith*

Present: 5 - Paul Darling, Robert Hart, Chair Kenneth J. Winters,
Gordon Berry, and David Arnsdorf

Absent: 1 - Hugh A. Flack Jr.

C APPROVAL OF AGENDA

Approved

Present: 5 - Paul Darling, Robert Hart, Chair Kenneth J. Winters,
Gordon Berry, and David Arnsdorf

Absent: 1 - Hugh A. Flack Jr.

D APPROVAL OF MINUTES

D1 [18-1940](#) Building Board of Appeals Minutes May 17, 2018

Attachments: BBA Minutes 5-17-18.pdf

Approved by the Board and forwarded to City Council.

E APPEALS, ACTIONS, AND SHOW CAUSE HEARINGS

E1 [18-1941](#) BBA18-006 - 1625 Waltham Ann Arbor, MI Appeal

Attachments: BBA18-006 Staff Report 1625 Waltham.pdf, 1625 Waltham Appeal.pdf, BBA18-006 Supplemental Letter.pdf, 1625 Waltham letter final 2nd.pdf, Waltham Video Pics.pdf, Dorothy Brooks Notarized Sworn Statement.pdf

G. Dempsey delivers staff report/summary of appeal as received by Oscar Rodriguez (representing Mr. Wood). G. Dempsey says appellant claims SOP 501 should apply to this permit (PLUM14-1848) and there are no violations. Mr. Dempsey's stance differs, stating code P3005.3 is not met and asks the board not to approve appeal. The work in question pertains to a cured-in-place pipe (CIPP) installation in a sewer line from the house to the main sewer, which according to city inspection, does not meet minimum slope requirement of 1%.

Oscar Rodriguez presents:

Mr. Rodriguez offers the case that his client, Mr. Wood, has installed 50+ CIPP liners without problem and high customer satisfaction. Mr. Rodriguez points out that the City has previously approved this product in other apparently similar installations and that there is no evidence that the 1% slope requirement was not met in this instance.

Mr. Rodriguez attempts to show videos of these other cases, but K. Winters advises that this appeal pertains only to this particular project and other instances should not be examined at this time. B. Hart agrees. Board and Mr. Rodriguez further examine code 3005.3 and SOP 501, and deliberate on their application to this project.

Mr. Dempsey and plumbing inspector Ryan Miller assert their stance on the inspection results, declaring that installation is in violation of code.

Bob Hart moves to deny:

"That in the case of BBA18-006, the appeal of the Building Official's decision that the work performed by Rooter MD at 1625 Waltham did not pass final inspection is DENIED and the Building Board of Appeals AFFIRMS the Building Official's decision for the reasons that:

1) The true intent of the 2009 Michigan Residential Code and P3005.3 governing the construction at 1625 Waltham have been correctly

interpreted by the Building Official; and

2) The provisions of 2009 Michigan Residential Code P3005.3 apply to the construction at 1325 Waltham.”

Some deliberation occurs about how to proceed with violations at seven other projects done by this contractor. No decision to offer provisions made at this time.

A motion was made by Hart, seconded by Berry, that the Motion be Approved. Motion approved unanimously.

F OLD BUSINESS

G NEW BUSINESS

H REPORTS AND COMMUNICATIONS

I PUBLIC COMMENTARY - GENERAL

J ADJOURNMENT

Meeting adjourned at 3:05pm

Approved

Accommodations, including sign language interpreters, may be arranged by contacting Planning and Development Services by telephone at 1-734-794-6000, x42663 or by written request addressed to Planning Development Services c/o Building Board of Appeals, 301 East Huron, Ann Arbor, MI 48104. Requests made with less than two business days notice may not be able to be accommodated. Email: zwaassmith@a2gov.org