

ANN ARBOR BUILDING BOARD OF APPEALS (for FIRE)

STAFF REPORT

Meeting Date: October 16th, 2025.

Type of Request: APPEAL

Building Board of Appeals Request BBA25-0011 336 South State Street, ANN ARBOR, MI 48105.

Parcel Identification Number: 09-09-29-400-004

DESCRIPTION AND DISCUSSION

Property Owners Name and Address:

Neal A David A LLC

Oxford Property Management

777 E. Eisenhower Pkwy #850

Ann Arbor, MI 48107.

Petitioner Name and Address:

Yellowstone Architecture & Design

3027 Miller road

Ann Arbor, MI. 48103.

Caleb Marquard – Architect III

BACKGROUND

The property at 336 South State Street is an existing structure built in 1910 and is listed in BS&A as a mixed commercial property with stores/retail (commercial) and apartment (commercial) occupancies. The building is under interior renovation and requires a fire suppression system which was brought to my attention to review for a compliant supporting hydrant for the FDC (fire department connection). After reviewing what was proposed for the FDC location and what existing hydrants were available, I cited it as non-compliant. It was cited for non-compliance for the following reasons:

1. Location of the FDC under **2021 IFC 912.2 and 912.2.1**

912.2 Location.

With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be *approved* by the fire code official.

912.2.1 Visible location.

Fire department connections shall be located on the street side of buildings or facing approved fire apparatus access roads, fully visible and recognizable from the street, fire apparatus access road or nearest point of fire department vehicle access or as otherwise approved by the fire code official.

Note: The petitioner is not asking for relief from these codes in this BBA. The FDC will be required to be on the South State Street side of the building (road frontage) and there is only one hydrant that is compliant with both of these codes. This is the hydrant on the same side of the street, approximately 165 feet north of the north corner of the building.

2. Distance from the FDC (fire department connection) to the closest code compliant fire hydrant.

Note: The minimum 100-foot requirement is not an IFC fire code requirement. The petitioner has cited a code that does not apply to this project and was not cited by me as the fire code official. The petitioner is asking for relief from fire code 2021 IFC 507.5.1.1 that I did not cite because it does not apply to this project. There is not a standpipe system at this structure.

Note: I cited the **2025 Standard Specifications – Public Services Standard Specifications** (see Cover Letter and Excepts provided with this staff report) These are minimum standards outside of fire code that must be complied with as written. These standards for Article 3 are enforced by both the City Engineers and the Fire Marshal (fire code official).

Article 3 Water – Design Criteria – Fire Hydrant Spacing and Coverage

c) An accessible hydrant shall be required within 100 feet of a Fire Department Connection (FDC) via an approved fire route. For residential buildings three stories or less in height and for which an internal sprinkler system is installed under NFPA 13R the maximum separation distance shall be increased to within 150 feet of a FDC.

This is what was cited for the non-compliance for the 100-foot distance requirement. The petitioner request for relief does not apply to this required standard and I do not believe the BBA can rule over **2025 Standard Specifications**.

The applicant requests for relief from fire code requirements fall under the following:

BBA Standards for Approval: (2021 International Fire Code Section 111 & the Municipal Code of Ordinances Title IX Police Regulations Chapter 111 – Fire Prevention 9:108. - Appeals)

9:108. - Appeals.

Whenever the Chief or the Fire Marshal shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of this Code do not apply or that the true intent and meaning of this Code have been misconstrued or wrongly interpreted, the applicant may appeal from the Chief's or Fire Marshal's decision to the Building Board of Appeals within 30 days from the date of the decision appealed.

1. The provisions of this code do not apply.
2. The intent of this code has been wrongly interpreted.

Note. 9:108 does not allow us to have a proposed equal or better form of protection under fire code for BBA.

STAFF RECOMMENDATION

Staff recommend that this application be denied for two reasons:

1. The petitioner is seeking relief from a fire code that was not cited and does not apply.
2. The City Standard that was cited is required as minimum standard and there is not a supporting fire hydrant within the required 100 feet. This standard has not been misinterpreted; the provisions of this standard does apply and the proposed distance of 165 feet is not compliant, and it does not appear that **2025 Specification Standards** can be taken to the **BBA**.

All modifications or deviations from fire code are solely up to the discretion of the Fire Marshal or Fire Code Official. The Fire Marshal applies fire code as a minimum requirement and any exception from it must be written in fire code as a listed exception for the specific code. This ensures that safety is still being met with the intent of the code as written by the code writer. Fire and emergency response and access are a life safety issue.

PROPOSED MOTION

APPEAL GRANTED

That in Case BBA25-0011, the appeal of the Fire Marshal's decision that the development at 336 South State Street is GRANTED relief from Section 507.5.1.1 of the 2021 International Fire Code, and the Building Board of Appeals REVERSES the Fire Marshal's decision for the reason(s) that [state reason in motion]:

- ☐ (1) The true intent of the 2021 International Fire Code Section 507.5.1.1 for the development at 336 South State Street has been incorrectly interpreted by the Fire Marshal.
- ☐ (2) The provisions of 2021 International Fire Code Section 507.5.1.1 does not apply to the development at 336 South State Street.

[Chairman to check box(es) following vote]

OR

APPEAL DENIED

That in Case BBA25-0011, the appeal of the Fire Marshal's decision that the development at 336 South State Street is DENIED and the Building Board of Appeals AFFIRMS the Fire Marshal's decision for the reason(s) that [state reason in motion]:

- ☐ (1) The true intent of the 2021 International Fire Code Section 507.5.1.1 for the development at 336 South State Street has been correctly interpreted by the Fire Marshal.
- ☐ (2) The provisions of 2021 International Fire Code Section 507.5.1.1 does apply to the development at 336 South State Street.
- ☐ (3) The code was not cited by the Fire Marshal and does not apply to this project.

[Chairman to check applicable box(es) following vote]

Yeas:

Nays:

Absent for this vote:

Date.

Paul Darling, Chairperson - Building Board of Appeals.



CITY OF ANN ARBOR, MICHIGAN
301 E. Huron St., P.O. Box 8647 • Ann Arbor, Michigan 48107-8647

January 8, 2025

RE: **Public Services Standard Specifications**

Dear Users of the Public Services Standard Specifications,

The Public Services Standard Specifications provides standards for public improvements constructed in the City of Ann Arbor. These standards apply to publicly constructed projects as well as private development projects, and include standards for design, materials, construction methods, as well as outlining permit and inspection procedures.

These updated Standards are effective immediately; **all plan submittals after this date must comply with these standards to receive plan approval.**

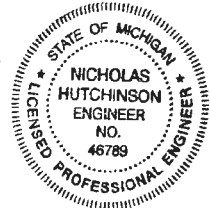
It is the responsibility of the Private Sector Engineer, Contractor and/or Developer to ensure that they are using the most current version of the Standard Specifications. Join our email list to receive notice of any updates: visit a2gov.org/standardspecifications and choose the envelope icon in the "Connect with us" section to subscribe. This email list will be notified whenever an updated version of the Public Services Standard Specifications is published to the webpage; we plan on an annual update cycle for the near future. Submit any Standard Specification update requests to StandardSpecifications@a2gov.org.

Sincerely,

City of Ann Arbor
Public Services Area

Sue McCormick
Interim Public Services Area Administrator

Nicholas Hutchinson, P.E.
City Engineer



I. General

A. Purpose and Guiding Principles

1. These City of Ann Arbor Public Services Area Design Standards and Construction Specifications ("Standards") set minimum standards for the design and construction of Public Improvements (see Section II (Definitions) of this Article) as well as govern the installation of other improvements in public rights-of-way.
2. Where so indicated in these Standards, or where governed by other City Code, these Standards also apply to construction of private improvements such as service leads or elements that may have an impact on public infrastructure.
3. Where standards or specifications are not given, the best practice in design, materials, and workmanship shall be followed and, in all cases, shall be subject to the approval of the Public Services Area Administrator (PSAA).
4. These Standards are intended to set minimum standards for materials and equipment to be furnished and for the installation of all improvements and/or work covered by these Standards. It is the intent of these Standards to cover complete work. Where minor accessories or tools are clearly necessary for satisfactory operation and/or maintenance of the equipment, or to safely and/or properly complete the work, but are not specifically mentioned herein, they are deemed to be included in these Standards.
5. A list of commonly used materials for specific applications is provided; see City of Ann Arbor Material Requirements (Appendix A). Materials provided on the list are deemed acceptable; materials not listed are subject to approval by the PSAA.

B. Detailed Specifications

1. For a particular Public Improvement project, the City reserves the right to prepare Detailed Specifications and Special Details as it deems to be in the City's best interest.
2. Such Detailed Specifications and Special Details shall be utilized where it is necessary to modify or supplement these Standards based on conditions unique to the project.
3. In such cases, the Detailed Specifications and/or Special Details shall supplement and/or supersede these Standards.

C. Variations and Revisions to Standards

I. Water System Design

A. General

1. Adoption of Standards by Reference

- a) The AWWA Standards, The Ten State Standards, and the Public Services Rules and Regulations shall be followed, except as modified herein.
- b) All materials that will potentially be in contact with City potable water supply must comply with NSF/ANSI Standard 61 (Drinking Water System Components – Health Effects).
- c) All plastic pipe and fittings that will potentially be in contact with City potable water supply shall also comply with NSF/ANSI Standard 14 (Plastics Piping System Components and Related Materials).
- d) The 2015 IFC, or its latest City adopted edition, shall be followed for all fire hydrants and fire appurtenances except as modified herein.

2. Easement Requirements

- a) All water main easements shall be a minimum of 40 feet in width, with the water main centered in the easement.
- b) Where a 40-foot easement cannot be provided due to conflicts such as existing structure or natural features, the water main shall be installed in a casing pipe per Article 1 (General Standards), Section XXVI (Casing Pipe) of these Standards. In such case, mains shall be centered in a minimum 20-foot wide easement.

3. Plan Information Required

- a) Plans shall include all general information required in Article 1 (General Standards), Section III (Content of Plans and Detailed Specifications) of these standards.
- b) In addition, the following information shall be provided:
 - (1) Plan and profile shall be provided for all water mains and hydrant leads.
 - (2) The pipe material, size, pipe class and lengths between fittings shall be shown and labeled in the water main profile view.

- e) At intersecting streets where both street rights-of-way are 100 feet or wider and buildings or residences are facing the street, hydrants shall be located alternately on both sides of the intersecting street that does not receive the proposed water main.
- f) The centerline of a hydrant must be between 4 feet and 10 feet from the face of a curb or the edge of a paved area unless otherwise approved by the PSAA.

11. Fire Hydrant Spacing and Coverage

- a) Hydrants are required at all street intersections and at intermediate locations on looping mains so that hydrants are no more than 500 feet apart via public right-of-way or approved fire route.
- b) For Private Development Projects, unless otherwise approved by the Fire Marshal, hydrants shall be located such that all buildings and structures in the development are within a 250-foot radius of a hydrant and the "hose lay" to any external portion of a structure via an approved fire route does not exceed 400 feet. In residential areas zoned R-1 or R-2 the radius requirement is 350-feet and the 400-foot hose-laying requirement does not apply.
- c) An accessible hydrant shall be required within 100 feet of a Fire Department Connection (FDC) via an approved fire route. For residential buildings three stories or less in height and for which an internal sprinkler system is installed under NFPA 13R the maximum separation distance shall be increased to within 150 feet of a FDC.
- d) Hydrants shall be located at least 15 feet from all structures. A larger separation may be required by the Fire Marshal based on the use and type of the structure.
- e) The spacing and coverage outlined in this Section I.B.11. (Fire Hydrant Spacing and Coverage) of this Article are minimum standards. In addition to these requirements, additional hydrants shall be installed as required by the Fire Marshal to comply with the 2015 IFC and any applicable NFPA publications and City Standards.