



City of Ann Arbor

Meeting Minutes - Final

Building Board of Appeals

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Thursday, November 19, 2020

1:30 PM

Electronic Meeting

This meeting will be broadcast live on CTN Cable Channel 16, ATT Channel 99, and online at a2gov.org/watchCTN

To speak at public comment call 206-337-9723 or 213-338-8477 or Toll Free 877-853-5247 or 888-788-0099 Enter Meeting ID: 980 4829 1789

A CALL TO ORDER

B ROLL CALL

Staff: 10 - G. Dempsey, J. Reiser, M. Reddmann, M. Lemieux, B. Lewis, C. MacFarland, G. Woelke, J. Lucht, M. Howell, D. Williams

Present: 5 - Paul Darling, Robert Hart, David Arnsdorf, Hugh A. Flack Jr., and Kathryn Levasseur

Absent: 2 - Bruce Carson, and Geoffrey M. Perkins

C APPROVAL OF AGENDA

D APPROVAL OF MINUTES

D-1 [20-1744](#) Building Board of Appeals Meeting Minutes August 20, 2020

Attachments: BBA Meeting Minutes 8-20-20.pdf

Approved by the Board and forwarded to City Council on 2/1/2021.

E APPEALS, ACTIONS, AND SHOW CAUSE HEARINGS

F OLD BUSINESS

G NEW BUSINESS

G-1 **20-1745** BBA20-004 - 950 Green Street, Ann Arbor, MI 48104 Appeal

Attachments: 950 Greene staff report - fire pump and VTAC.pdf, 950 Greene 695.3.pdf, 950 Greene Variance Request.pdf

M. Lemieux gave the staff report. Staff recommends that the variance not be granted and referred to the intent of the codes and variance request did not meet the intent. Applicant representatives gave statements in support of the request.

Board members discussed variance with staff and applicant and representatives.

R. Hart received clarification from Attorney Reiser regarding how the motion should be made in an affirmative manner.

R. Hart moved that the requested variance for BBA20-004 for the project at 950 Greene Street be approved pursuant to 2017 NEC Code Article 695.3A:

(1) Allowing for the fire pump to be supplied from the electrical utility service connection insofar as the applicant has demonstrated compliance with NEC 695.3 items (1) and (3) such that the fire pump can be adequately powered from a separate service available and designed into the project to meet the length and reliability of service operation terms defined within the NEC and NFPA and that, therefore, the standby generator source is not required at this particular location. In short, the applicant has proposed an equal form of construction as permitted and provided for under the code and that the Variance will not violate the intent of this Chapter of the code as interpreted. This motion is made within the Board's limitations of authority to approve and/or deny on the basis that the applicant has provided a reasonable interpretation of compliance with the intent of the code. Further to this motion, the specific condition claimed by the applicant and owners that justifies the Variance would be considered neither general nor recurrent in nature and not be considered a precedent for future similar appeals.

A motion was made by Hart, seconded by Arnsdorf, that the Variance be Approved. On a voice vote, the Chair declared the motion approved.

Yeas: 5 - Darling, Hart, Arnsdorf, Flack Jr., and Levasseur

Nays: 0

Absent: 2 - Carson, and Perkins

H REPORTS AND COMMUNICATIONS**I PUBLIC COMMENTARY - GENERAL****J ADJOURNMENT**

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 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: blewis@a2gov.org