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Vice Chairman

Robert Anderson
Administrator

Date: November 18, 2009

Name of Appellant: Owen Kiemon

Service Address: George Morancy
416 West Broadway
South Boston, MA. 02127

In reference to: 161 H Street
South Boston, MA. 02127

Docket Number: 09-812

Property Address: 161 H Street
South Boston, MA. 02127

Date of Hearing: 11-05-09

Enclosed please find a copy of the decision on the matter aforementioned.

Sincerely:

BUILDING CODE APPEALS BOARD

Patricia Barry

Patricia Barry, Clerk

cc: Building Code Appeals Board
Building Official

COMMONWEALTH OF MASSACHUSETTS
State Building Code (780 CMR) Appeals Board
Board's Ruling on Appeal[1]

Docket No. 09-812
Appellant(s): Owen Kiemon represented by George Morancy vs. Appellee(s): City/Town of Boston Building Official Luis Santana

Procedural History

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant a variance to the 6th edition 780 CMR 1022.0, 1022.4, 1022.5, 1022.6, 1023.3, & 1208.2, for the property at 161 H Street, South Boston, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.;* and 780 CMR 122.3.4, the Board convened a public hearing on November 5, 2009 where all interested parties were provided with an opportunity to testify and present evidence to the Board. George Morancy and Arthur Choo appeared and testified before the board.

Discussion

After testimony a motion was made to grant the Appellant's request for a variance to the 6th edition 780 1022.0, 1022.4, 1022.5, 1022.6, 1023.3, & 1208.2 and allow a stairway, as described in the appeal application, to replace a ladder as a means of egress, based on the fact that the property is being improved tremendously by allowing this second means of egress. There was a second on the motion and a board vote was taken which was unanimous.

Conclusion

The Appellant's request for a variance to the 6th edition 780 CMR 1022.0, 1022.4, 1022.5, 1022.6, 1023.3, & 1208.2 is hereby **granted** as described in the discussion above and so ordered[2] on this date: November 5, 2009.

Douglas Semple — William Middlemiss — Alexander MacLeod

[1] This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108
[2] In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.