

Decision: Following testimony, and based upon relevant information provided, Board members voted as indicated below.

..... **Granted** Denied Rendered Interpretation

.....Granted with conditions (see below) Dismissed

The vote was:

.....**Unanimous** Majority

Reasons for Variance:

The appeals case is summarized below and a motion was made and seconded to allow the variance from 780 CMR 3603.8.1-3.

The testimony given pertained to two units of a 90-unit new condominium development. The two units have insufficient finished basement ceiling height required by 780 CMR 3603.8.1-3. Each unit has about 70 percent of floor area at sufficient height of 7'4" and 30 percent at 6'10" due to HVAC duct work. No other units have, or will have, inadequate basement ceiling height because a sill height adjustment was made. The appeal was granted.

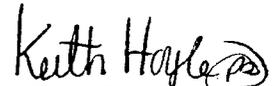
The following members voted in the above manner



Chairman -Harry Smith



Alexander MacLeod



Keith Hoyle

A complete administrative record is on file at the office of the Board of Building Regulations and Standards.

A true copy attest, dated: September 26, 2007



Patricia Barry, Clerk

Any person aggrieved by a decision of the State Building Code Appeals Board may appeal to a court of competent jurisdiction in accordance with Chapter 30A, Section 14 of the Massachusetts General Laws.