

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

State Building Code Appeals Board¹
Docket No. 05-361

_____)
Gino J. Baroni,)
Appellant,)
)
v.)
)
City of Lawrence and Gregory)
Arvanitis,)
Appellees)
_____)

BOARD’S RULING ON APPEAL

Procedural History

This matter came before the State Building Code Appeals Board (“the Board”) on the Appellant’s appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, Appellant asks the Board to grant a variance from 780 CMR 3400.3 (8) and 780 CMR 3406.0 of the Massachusetts State Building Code (“MSBC”) for 250 Merrimack Street, Lawrence, MA. In accordance with MGL c. 30A, §§ 10 and 11; MGL c. 143, §100; 801 CMR 1.02 et. Seq.; and 780 CMR 122.3.4, the Board convened a public hearing on February 1, 2007 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared for the hearing pro se. There was no representative present from the City of Lawrence Inspectional Services Department. There was no representative present from the City of Lawrence Fire Department.

Discussion

A motion was made to grant the Appellant’s request for a variance from 780 CMR 3400.3 (8) and 780 CMR 3406.0 of the MSBC contingent upon the Appellant

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.

obtaining a letter of support from the City of Lawrence Inspectional Services Department. Motion carried 3-0. On March 7, 2007, Gregg Arvanitis of the City of Lawrence Inspectional Services Department submitted a letter in support of the granting of the variance.

Conclusion

The Appellant's request for a variance from 780 CMR 3400.3 (8) and 780 CMR 3406.0 is hereby **GRANTED**.

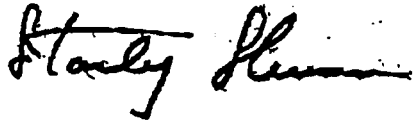
SO ORDERED.



GARY MOCCIA



JACOB NUNNEMACHER



STANLEY SHUMAN

DATED: March 12, 2007

** 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.*