

**SUMMIT COUNTY
BOARD OF BUILDING APPEALS
SPECIAL MEETING
THURSDAY, SEPTEMBER 9, 2021 at 2:00 PM**

Building Standards Department, 1030 E. Tallmadge Ave., Tallmadge, Ohio 44310 (330) 630-7280
VIA ZOOM VIDEO CONFERENCE due to COVID Pandemic

AGENDA

Roll Call

Approval of Minutes of June 10, 2021 Meeting

Old Business

Remove from the Agenda:

- Appeal from Ryan Napier, Tenant and Co-Owner, Where I'm From Apparel
- Mr. Napier was granted a continuance at the last hearing on June 10, 2021.
- Mr. Napier decided to no longer continue the appeal.

Swearing In

New Business

- 1) **Property Address:** 803 Highland Park Dr., New Franklin, Ohio 44319, Parcel #23-05686
- Owner's Agent: K Hovnanian Homes, 3296 Columbia Rd., Richfield, Ohio 44286
Party Filing Appeal: Daryl Wolfram, Electrical Accents, LLC
104 North Lake Street, Unit C, South Amherst, OH 44001
- Noncompliance Order: Issued August 4, 2021, Summit County Building Standards
Appeal Filed: August 9, 2021

Appeal Before the Board:

Adjudication Order, dated August 4, 2021, states:

Temporary pole does not have the grounding path as required by the National Electric Code (NEC).

The residential building official shall evaluate any report of items of noncompliance and shall rendered a final determination. (Ohio Residential Code (ORC) 108.7)

National Electric Code (NEC) 250.24(A)(1) requires the temporary pole grounding electrode conductor to terminate on the grounded conductor terminal or bus.

NEC 250.24(A)(4) allows the use of a jumper wire to serve as the connection; the enclosure is not listed as an option for this connection.

Appeal Request states:

Requesting an acknowledgement that the temporary pole installed at 803 Highland Park Drive, New Franklin, Ohio is compliant as factory assembled, with no additional wire grounding path necessary.

Requesting an acknowledgment that future similar temporary power pole units (Eaton Model CHR9N9NS) will not need additional grounding paths.

NEC 250.8(A)(6) permits a connection to the enclosure; NEC 250.8(A)(7) permits connections that are part of a listed assembly. See NEC 250.24(A)(4) points to NEC 250.28 about bonding jumpers and NEC 250.28(C) points to NEC 250.8 about permitted connection methods.

108.7 Residential building official determination of noncompliance. The residential building official shall evaluate any report of items of noncompliance and render a final determination as to whether the items of non-compliance are to be communicated to the owner in the form of an adjudication order complying with section 109. The residential building official shall also determine whether any approvals are possible.

2. **Property Address:** 1212 Cuyahoga St., Akron, Ohio 44313

Owner's Agent / Appeal: Matt Schwartz, Peninsula Architects

1775 Main St., P.O. Box 235, Peninsula, Ohio 44264

Owner: Summit Metro Parks (Nick Moskos, Chief Planning & Development)
975 Treaty Line Rd., Akron, Ohio 44313

Appeal Filed: September 7, 2021

Noncompliance Order: PPR190471

Appeal Before the Board:

“1. NEC 230.71: Code permits only six switches total mounted either in a single enclosure or six separate enclosures.”

The appeal relates to the interpretation of NEC 230.71 regarding number of enclosures.

3. **Authority of Appeals Board:**

Variance is Requested pursuant to County Ordinance § 1325.03.

§ 1325.03 VARIANCES.

Except as otherwise provided in the OBC, the RCO, O.R.C. or other applicable provision of Ohio law, the Board of Building Appeals shall also have the authority to grant a variance from the terms of this Building Code where the variance would not be contrary to the public interest and where a literal enforcement of such Building Code provisions would result in unnecessary hardship. (Ord. 2007-501. Adopted 10-15-07.)

ADJOURN