



Building Department ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3383 ♦ www.cityofmidlandmi.gov

**CITY OF MIDLAND CONSTRUCTION BOARD OF APPEALS – APPLICATION FOR APPEAL**

In accordance with 1972 PA230, a party may file an appeal with the jurisdiction’s building code authority if the jurisdiction refuses to grant application for building permit, or if the jurisdiction makes any other decision pursuant to or related to the act or code, or to request a specific variance from the code. Application submittals shall include a completed appeal application with all applicable information provided, the signature of the applicant, date of application, and include applicant’s supporting documentation showing the reasons for request of appeal. Complete submittals will be processed promptly and a meeting of the City of Midland Construction Board of Appeals will be scheduled in accordance with the Act. Incomplete applications shall be returned to the applicant for completion, and will delay scheduling of the appeal meeting.

1972 PA230 allows the Construction Board of Appeals the ability to “grant a specific variance to a substantive requirement of the code if the literal application of the substantive requirement would result in an exceptional practical difficulty to the applicant, and if both of the following requirements are satisfied:

1. The performance of the particular item or part of the building or structure with respect to which the variance is granted shall be adequate for its intended use and shall not substantially deviate from performance required by the code of that particular item or part for the health, safety and welfare of the people of this state.
2. The specific condition justifying the variance shall be neither as general nor recurrent in nature as to make an amendment of the code with respect to the condition reasonable practical or desirable”.

The Construction Board of Appeals does not have the authority to override, amend or delete sections of the code(s) in the process of forming a decision on a filed appeal. The Construction Board of Appeals can consider alternate or equivalent methods being proposed to meet the intent of the code(s).

<b>Application Submittal Date:</b>	<b>Permit number:</b>
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**JOB LOCATION (if applicable)**

<i>Site address and/or Street Name</i>
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**OWNER INFORMATION (unless you are the applicant too)**

<i>First Name, Last Name</i>		<i>Telephone Number</i>
<i>Mailing Address</i>		<i>City</i>
<i>State</i>	<i>Zip</i>	<i>Cell Phone Number</i>
<i>Email Address</i>		

**APPLICANT INFORMATION**

<i>First Name, Last Name</i>		<i>Telephone Number</i>
<i>Mailing Address</i>		<i>City</i>
<i>State</i>	<i>Zip</i>	<i>Cell Phone Number</i>
<i>Email Address</i>		
<i>Builder License Number</i>		<i>Expiration Date</i>

**DESIGN PROFESSIONAL INFORMATION (if applicable)**

<i>First Name, Last Name</i>		<i>Telephone Number</i>
<i>Mailing Address</i>		<i>City</i>
<i>State</i>	<i>Zip</i>	<i>Cell Phone Number</i>
<i>Email Address</i>		

**APPLICANT SIGNATURE**

<i>Applicant Signature</i>	<i>Print Name</i>	<i>Date</i>
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**REASON(S) FOR FILING APPEAL**

<input type="checkbox"/> Enforcing agency refusal to grant permit upon application
<input type="checkbox"/> Disagree with enforcing agency interpretation of the code(s)
<input type="checkbox"/> Request a specific variance from the code(s)
<input type="checkbox"/> Other (provide explanation):

**SPECIFIC VARIANCE FROM THE CODE (complete if applicable)**

Specific Code (check all applicable): <input type="checkbox"/> Building <input type="checkbox"/> Electrical <input type="checkbox"/> Mechanical <input type="checkbox"/> Plumbing
Specific Code Sections related to appeal:

**PLEASE ANSWER ALL OF THE FOLLOWING, ATTACHING ADDITIONAL PAGES IF NECESSARY**

**Describe the “exceptional practical difficulty” to the applicant requesting this appeal:**


**Describe what is intended to be done to provide equivalent performance to that required by the applicable code(s):**


**Describe the specific conditions considered as justifying the variance request for this project:**
