

**STATE BUILDING CODE TECHNICAL REVIEW BOARD
MEETING MINUTES
October 18, 2024
Virginia Housing Center
4224 Cox Road Glen Allen, Virginia 23060**

Members Present

Mr. James R. Dawson, Chairman
Mr. Vince Butler
Mr. David V. Hutchins
Mr. Joseph Kessler
Mr. Eric Mays, PE
Ms. Joanne Monday
Mr. James S. Moss
Mr. W. Shaun Pharr, Esq., Vice-Chairman

Members Absent

Mr. Daniel Crigler
Mr. Alan D. Givens
Ms. Christina Jackson
Mr. R. Jonah Margarella
Ms. Elizabeth White
Mr. Aaron Zdinak, PE

Call to Order The meeting of the State Building Code Technical Review Board (“Review Board”) was called to order at approximately 10:20 a.m. by Chair Dawson.

Roll Call The roll was called by Mr. Luter and a quorum was present. Mr. Justin I. Bell, legal counsel for the Review Board from the Attorney General’s Office, was also present.

Approval of Minutes The draft minutes of the September 20, 2024 meeting in the Review Board members’ agenda package were considered. Mr. Mays moved to approve the minutes as presented. The motion was seconded by Mr. Hutchins and passed with Messrs. Butler, Kessler, and Moss and Ms. Monday abstaining.

Final Order Hotel Street LLC: Appeal No. 24-06:

After review and consideration of the final order presented in the Review Board members’ agenda package, Mr. Mays moved to approve the final order as presented. The motion was seconded by Mr. Hutchins and passed with Messrs. Butler, Kessler, and Moss and Ms. Monday abstaining.

Brittton Hall LLC: Appeal No. 24-07:

After review and consideration of the final order presented in the Review Board members’ agenda package, Mr. Mays moved to approve the final order as presented. The motion was seconded by Mr. Hutchins and passed with Messrs. Butler, Kessler, and Moss and Ms. Monday abstaining.

State Building Code Technical Review Board
October 18, 2024 Minutes - Page 2

Public Comment

Chair Dawson opened the meeting for public comment. Mr. Luter advised that no one had signed up to speak. With no one coming forward, Chair Dawson closed the public comment period.

New Business

Reconsideration for A10 Capital LLC: Appeal No. 24-05:

A petition for reconsideration for Appeal No. 24-05 was presented in the Review Board members' agenda package.

After discussion, Mr. Pharr moved to grant the reconsideration request. The motion was seconded by Mr. Butler and passed with Mr. Kessler voting in opposition.

After further discussion, Mr. Pharr moved to revise the Board decision for Item D in Section IV. Conclusion of the final order to read as follows:

“The decision of the City and local appeals board requiring that the structures located at 2101-2121 Kecoughtan Road may be demolished is warranted under VMC Section 106.1 Unsafe Structure or Structures Unfit for Human Occupancy and is a proper remedy if, within twelve (12) months from the date of this final order, the building permits for the entire property are not issued.”

The motion was seconded by Mr. Butler and passed with Messrs. Kessler, Mays, and Moss voting in opposition.

After further discussion, Mr. Butler moved to revise the Board decision for Item C in Section IV. Conclusion of the final order to read as follows:

“The decision of the City and local appeals board that the structures located at 2101-2121 Kecoughtan Road must be brought into compliance, is upheld; however, the Review Board amends the timeline to twelve (12) months, from the date of this final order, to have the building permits issued for the entire property, because the allotted time provided by the City was not sufficient to reach settlement, closing, and obtain the necessary building permits to renovate the property.”

The motion was seconded by Ms. Monday and passed with Mr. Kessler voting in opposition.

State Building Code Technical Review Board
October 18, 2024 Minutes - Page 3

Susan Frazier: Appeal No. 24-02:

A preliminary hearing convened with Chair Dawson serving as the presiding officer. The hearing was related to the property located at 3305 Spring Drive in Fairfax County.

The following persons were sworn in and given an opportunity to present testimony:

Sherry Frazier, Sister to owner Susan Frazier

Also present was:

Patrick Foltz, Attorney for Fairfax County

After testimony concluded, Chair Dawson closed the preliminary hearing and stated a decision from the Review Board members would be forthcoming and the deliberations would be conducted in open session. It was further noted that a final order reflecting the decision would be considered at a subsequent meeting and, when approved, would be distributed to the parties, and would contain a statement of further right of appeal.

Decision: Susan Frazier: Appeal No. 24-02:

Item 1:

After deliberations, Ms. Monday moved that the appeal was timely because the application and statement of relief sought were received within the required time frame. The motion was seconded by Mr. Mays and passed unanimously.

Note: Mr. Pharr was not present for this vote.

Item 2:

After further deliberations, Ms. Monday moved that the appeal was not properly before the board because the application, though received within the required time frame, was incomplete because a copy of the enforcement decision of the code official was not provided with the application as required by VPMC 107.8. The motion was seconded by Mr. Mays and passed unanimously.

Note: Mr. Pharr was not present for this vote.

Secretary's Report

Mr. Luter informed the Review Board of the current caseload for the upcoming meeting scheduled for November 15, 2024.

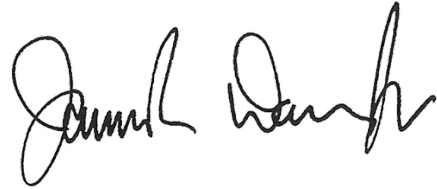
Mr. Bell provided legal updates to the Review Board members.

State Building Code Technical Review Board
October 18, 2024 Minutes - Page 4

Adjournment

There being no further business, the meeting was adjourned by proper motion at approximately 2:30 p.m.

Approved: November 15, 2024



Chair, State Building Code Technical Review Board



Secretary, State Building Code Technical Review Board