

**STATE BUILDING CODE TECHNICAL REVIEW BOARD
MEETING MINUTES
April 19, 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
Ms. Christina Jackson
Mr. R. Jonah Margarella
Mr. Eric Mays, PE
Ms. Joanne Monday
Mr. James S. Moss
Mr. Aaron Zdinak, PE

Members Absent

Mr. Daniel Crigler
Mr. Alan D. Givens
Mr. W. Shaun Pharr, Esq., Vice-Chairman
Ms. Elizabeth White

- Call to Order The meeting of the State Building Code Technical Review Board (“Review Board”) was called to order at approximately 10:00 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 March 15, 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 Ms. Jackson and passed with Ms. Monday abstaining.
- Final Order Craig Caron: Appeal No. 23-10:

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 Ms. Monday abstaining.
- 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.

State Building Code Technical Review Board
April 19, 2024 Minutes - Page 2

New Business

Lisa and Robert Gearhart: Appeal No. 23-11:

A preliminary hearing convened with Chair Dawson serving as the presiding officer. The preliminary hearing was related to the property located at 197 Compass Cove, in Franklin County.

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

John Broughton, Franklin County Building Official
Robert Gearhart, Property Owner
Lisa Gearhart, Property Owner

After testimony concluded, Chair Dawson closed the 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: Lisa and Robert Gearhart: Appeal No. 23-11:

After deliberations, Mr. Butler moved that the Gearharts, under the current regulations, were not made a party to the local appeals board hearing; therefore, they do not have the right to appeal to the Review Board. Mr. Butler further moved that the local appeals board erred in not making the Gearharts a party to the local appeals hearing and further erred in its assessment of a corrective action, which included a possible financial obligation on the Gearharts. The motion was seconded by Ms. Jackson and passed unanimously.

Request for Interpretation of Richard Gordon (Hanover County):
Interpretation Request No. 02-24:

An interpretation request from Richard Gordon of Hanover County was considered concerning whether the building official is responsible for enforcing §36-99(B)(1-3).

Mr. Butler moved that the answer is *“No, because the scope of the VUSBC and the authority of the building official are limited to those codes and regulations promulgated by the Board of Housing and Community Development”*. The motion was seconded by Mr. Moss and passed unanimously.

Secretary's Report

Mr. Luter informed the Review Board of the current caseload for the upcoming meeting scheduled for May 17, 2024.

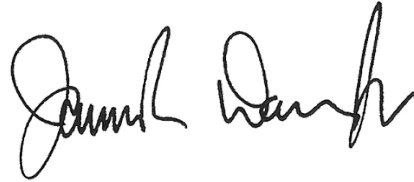
State Building Code Technical Review Board
April 19, 2024 Minutes - Page 3

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

Adjournment

There being no further business, the meeting was adjourned by proper motion at approximately 12:00 p.m.

Approved: May 17, 2024



Chair, State Building Code Technical Review Board



Secretary, State Building Code Technical Review Board