

**STATE BUILDING CODE TECHNICAL REVIEW BOARD  
MEETING MINUTES  
February 16, 2024  
Henrico County Library - Tuckahoe  
1901 Starling Drive Henrico, Virginia 23229**

Members Present

Mr. James R. Dawson, Chairman  
Mr. Vince Butler  
Mr. Daniel Crigler  
Mr. Alan D. Givens  
Mr. David V. Hutchins  
Mr. Joseph Kessler (arrived after approval of the  
Final Order for Appeal No. 23-07)  
Ms. Christina Jackson  
Mr. R. Jonah Margarella  
Mr. Eric Mays, PE  
Ms. Joanne Monday  
Mr. W. Shaun Pharr, Esq., Vice-Chairman  
Ms. Elizabeth White

Members Absent

Mr. James S. Moss  
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 10:00 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, arrived during the hearing for Gregory Black.
- Approval of Minutes              The draft minutes of the November 17, 2023 meeting in the Review Board members’ agenda package were considered. Ms. Monday moved to approve the minutes with the editorial change offered by the Secretary striking the word “not” in line 75 of the minutes found on page 9 of the agenda package. The motion was seconded by Ms. Jackson and passed with Mr. Crigler and Ms. White abstaining.
- Final Order                          Robert Hale Jr.: Appeal No. 23-05:  
  
After review and consideration of the final order presented in the Review Board members’ agenda package, Ms. Monday moved to approve the final order as presented. The motion was seconded by Mr. Givens and passed with Mr. Crigler and Ms. White abstaining.

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Final Order Junjing (Jim) Song: Appeal No. 23-07:

After review and consideration of the final order presented in the Review Board members' agenda package, Ms. Jackson moved to approve the final order as presented. The motion was seconded by Mr. Margarella and passed with Mr. Crigler and Ms. White 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.

New Business Gregory Black: Appeal No. 23-09:

A hearing convened with Chair Dawson serving as the presiding officer. The hearing was related to the property located at 10350 York River Road, in Fairfax County.

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

Gregory Black, Director of Emergency Management and Fire Safety for George Mason University  
David Farris  
David Kidd, Building Official for George Mason University  
Justin Biller, George Mason University Fire Protection Engineer

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: Gregory Black: Appeal No. 23-09:

After deliberations, Mr. Mays moved to uphold the building official's decision to deny the request for modification for the sequence of events for smoke alarm activation. The motion was seconded by Mr. Butler and passed unanimously.

Request for Interpretation of John Card (City of Newport News):  
Interpretation Request No. 04-23:

An interpretation request from John Card of the City of Newport News was considered concerning whether a single family dwelling (R5) that is used as a family day home per 2021 VCC Section 313.3 with more

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than 5 children remains a R5 use group under 2021 VCC Section 310.06 #3.

Mr. Mays moved that the answer is “*Yes. provided the structure meets the definition of family day home in §22.1-289.02, which allows a R5 to have up to 12 children.*” The motion was seconded by Ms. Monday and passed unanimously.

*Note: Ms. Jackson announced her employment with the City of Newport News and recused herself from the discussion related to the request for interpretation.*

Request for Interpretation of Phillip Moore (Prince Edward County):  
Interpretation Request No. 01-24:

An interpretation request from Phillip Moore of Prince Edward County was considered concerning 2021 VRC Sections 113.1.3 and 113.8 related to whether a building official can require Virginia Department of Health approval prior to conducting the final inspection.

Mr. Mays moved that the answer is “*Yes.*” The motion was seconded by Mr. Pharr and passed unanimously.

*Note: Phillip Moore withdrew questions 1-8 of his request for interpretation.*

Secretary’s Report

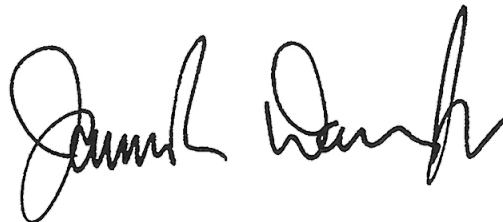
Mr. Luter informed the Review Board of the current caseload for the upcoming meeting scheduled for March 15, 2024. A discussion related to a potential request for interpretation pertaining to the new Agritourism law found in §36-99 B (1-3) was included.

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 2:00 p.m.

Approved: March 15, 2024



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Chair, State Building Code Technical Review Board

A handwritten signature in black ink, appearing to read "William J. Smith". The signature is written in a cursive style with a large initial "W".

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Secretary, State Building Code Technical Review Board