

**STATE BUILDING CODE TECHNICAL REVIEW BOARD
FINAL MEETING MINUTES
May 17, 2024
Virginia Housing Center
4224 Cox Road Glen Allen, Virginia 23060**

Members Present

Mr. James R. Dawson, Chairman
Mr. Daniel Crigler
Mr. Alan D. Givens
Mr. David V. Hutchins
Mr. Joseph Kessler (arrived after approval of
Interpretation 3/2024)
Mr. Eric Mays, PE
Ms. Joanne Monday
Mr. James S. Moss
Mr. W. Shaun Pharr, Esq., Vice-Chairman
Ms. Elizabeth White
Mr. Aaron Zdinak, PE

Members Absent

Mr. Vince Butler
Ms. Christina Jackson
Mr. R. Jonah Margarella

Call to Order The meeting of the State Building Code Technical Review Board (“Review Board”) was called to order at approximately 10:30 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 April 19, 2024 meeting in the Review Board members’ agenda package were considered. Mr. Moss moved to approve the minutes with suggested editorial changes, adding the *they* and *have* to line 60 and *possible* to line 63. The motion was seconded by Ms. Monday and passed with Ms. White and Messrs. Crigler and Givens abstaining.

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

After review and consideration of the final order presented in the Review Board members’ agenda package, Ms. Monday moved to approve the final order with the following suggested editorial changes:

- Adding *it* to line 37, *may have* to line 49, and *potential* to line 86
- Capitalizing *The* in line 64
- Striking *errored* and replacing with *erred* in lines 69 and 84

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The motion was seconded by Mr. Moss and passed with Ms. White and Messrs. Crigler and Givens abstaining.

Interpretations

Approval of Interpretation 03/2024:

After review and consideration of Interpretation 03/2024, presented in the Review Board members' agenda package, Mr. Moss moved to approve Interpretation 03/2024 as presented. The motion was seconded by Mr. Zdinak and passed with Ms. White and Messrs. Crigler and Givens 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

George and Carrie Schiano: Appeal No. 24-03:

Note: Mr. Mays recused himself from participation as a Board member in this hearing due to his being the building official for Prince William County and a party to this appeal.

A hearing convened with Chair Dawson serving as the presiding officer. The hearing was related to the property located at 7480 Falk Drive, in Prince William County.

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

Eric Mays, Prince William County Building Official
Chad Roop, Prince William County Deputy Building Official
George Schiano, 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: George and Carrie Schiano: Appeal No. 24-03:

After deliberations, Mr. Pharr moved to uphold the County building official and local appeals board decision that the sewer connection inside the residential structure requires inspections in accordance with the USBC Section 113.3 *Minimum Inspections*. Mr. Pharr further moved to uphold the County building official and local appeals board decision that the building official is authorized to require specific facts

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and/or evidence to determine whether a structure is a farm building or structure, exempt from the USBC. Lastly, Mr. Pharr moved to uphold the County building official and local appeals board decision not to provide a refund for abandonment of the building project in accordance with the USBC. The motion was seconded by Ms. Monday and passed unanimously.

Secretary's Report

Mr. Luter informed the Review Board there would be no meeting in June.

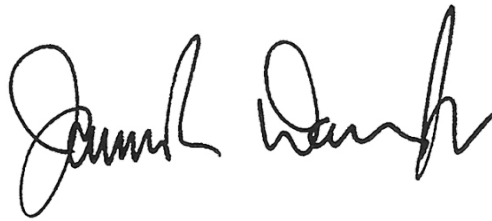
Mr. Luter informed the Review Board of the current caseload for the upcoming meeting scheduled for July 19, 2024.

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 12:40 p.m.

Approved: July 19, 2024



Chair, State Building Code Technical Review Board



Secretary, State Building Code Technical Review Board