

**STATE BUILDING CODE TECHNICAL REVIEW BOARD
MEETING MINUTES
September 20, 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
Ms. Christina Jackson
Mr. R. Jonah Margarella
Mr. Eric Mays, PE
Mr. W. Shaun Pharr, Esq., Vice-Chairman
Ms. Elizabeth White
Mr. Aaron Zdinak, PE

Members Absent

Mr. Vince Butler
Mr. Joseph Kessler
Ms. Joanne Monday
Mr. James S. Moss

- 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 Secretary Luter.
- 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 August 16, 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. White and passed with Mr. Margarella and Ms. Jackson abstaining.
- Final Order A10 Capital LLC: Appeal No. 24-05:
- After review and consideration of the final order presented in the Review Board members’ agenda package, Mr. Mays moved to approve the final order with two editorial corrections as follows:
- On page 25 of the agenda package, line 155 of the final order, replace the word *raise* with *raze*
 - On page 29 of the agenda package, line 202 of the final order add the letter “s” to the end of the word *month*
- The motion was seconded by Mr. Hutchins and passed with Ms. Jackson abstaining.

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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

Hotel Street LLC: Appeal No. 24-06:

A preliminary hearing convened with Chair Dawson serving as the presiding officer. The hearing was related to the property located at 3 Hotel Street, in town of Warrenton.

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

Keith Macdonald, Owner
Hunter Digges, Town of Warrenton Building Official
Robert Walton, Town of Warrenton Director of Community
Development

Also present was:

M. Tolley Gwinn, Attorney for the Town of Warrenton

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

After deliberations, Mr. Mays moved that the appeal was untimely based on the following facts provided in the record of the appeal by Mr. Macdonald:

- Town of Warrenton sent the written decision of the LBBCA certified mail on April 2, 2024
- Mr. Macdonald had knowledge and receipt of the decision of the LBBCA on April 30, 2024
- Mr. Macdonald certified his application for appeal to the Review Board on May 29, 2024

The motion was seconded by Ms. Jackson and passed unanimously.

Brittton Hall LLC: Appeal No. 24-07:

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A preliminary hearing convened with Chair Dawson serving as the presiding officer. The hearing was related to the property located at 45 Winchester Street, in Town of Warrenton.

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

Keith Macdonald, Owner
Hunter Digges, Town of Warrenton Building Official
Robert Walton, Town of Warrenton Director of Community
Development

Also present was:

M. Tolley Gwinn, Attorney for the Town of Warrenton

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: Brittion Hall LLC: Appeal No. 24-07:

After deliberations, Mr. Mays moved that the appeal was untimely based on the following facts provided in the record of the appeal by Mr. Macdonald:

- Town of Warrenton sent the written decision of the LBBCA certified mail on April 2, 2024
- Mr. Macdonald had knowledge and receipt of the decision of the LBBCA on April 30, 2024
- Mr. Macdonald certified his application for appeal to the Review Board on May 29, 2024

The motion was seconded by Ms. Jackson and passed unanimously.

Secretary's Report

Mr. Luter informed the Board that the Decision on Petition for Reconsideration for George and Carrie Schiano has been distributed September 5, 2024.

Mr. Luter informed the Review Board of the current caseload for the upcoming meeting scheduled for October 18, 2024.

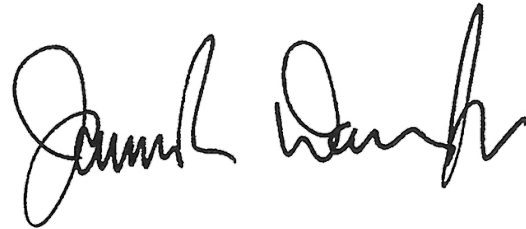
Mr. Bell provided legal updates to the Review Board members.

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Adjournment

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

Approved: October 18, 2024



Chair, State Building Code Technical Review Board



Secretary, State Building Code Technical Review Board