

**STATE BUILDING CODE TECHNICAL REVIEW BOARD
MEETING MINUTES
November 15, 2019
Glen Allen, Virginia**

Members Present

Mr. James R. Dawson, Chairman
Mr. Daniel Crigler
Ms. Christina Jackson
Mr. Joseph Kessler (arrived at 10:15 at the beginning of Interpretation 05-19)
Mr. Eric Mays, PE
Ms. Joanne Monday
Mr. J. Kenneth Payne, Jr.
Mr. Richard C. Witt
Mr. Aaron Zdinak, PE

Members Absent

Mr. Vince Butler
Mr. Alan D. Givens
Ms. Patricia S. O'Bannon
Mr. W. Shaun Pharr, Esq., Vice-Chairman

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 Travis Luter.

Roll Call

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

Approval of Minutes

The draft minutes of the September 20, 2019 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. Monday and passed unanimously with Mr. Crigler abstaining.

The draft minutes of the October 18, 2019 retreat in the Review Board members' agenda package were considered. Mr. Mays moved to approve the minutes, with a correction of "#1" to "#22" on page 19. The motion was seconded by Mr. Crigler and passed unanimously with Ms. Jackson abstaining.

Final Orders

Appeal of Karen Lindsey
Appeal No. 19-02:

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. Witt and passed with Mr. Crigler abstaining.

**State Building Code Technical Review Board
November 15, 2019 Minutes - Page 2**

Final Orders (cont.)

Appeal of Oscar and Olga Marroquin
Appeal No. 19-04:

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

Public Comment

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

Interpretation Request

Interpretation Request of Brian Foley and Lee Craft (Fairfax County);
Interpretation Request No. 05-19:

An interpretation request from Brian Foley and Lee Craft of Fairfax County was considered concerning the 2015 Virginia Plumbing Code (VPC), on Section 410.4 and definition of water dispenser in Chapter 2 concerning whether a pantry sink could be used as a substitute for a water dispenser.

After deliberations, Mr. Witt moved that the answer is No, the term water dispenser is used in the drinking fountain section of the code and is specific to that use so it needs to be accessible; therefore, a sink with a faucet is not an appropriate means of substituting for a required drinking fountain. The motion was seconded by Mr. Crigler and passed unanimously.

Interpretation Request of Jamie Wilks (Mathews County);
Interpretation Request No. 06-19:

An interpretation request from Jamie Wilks, Building Official for Mathews County, was considered concerning the 2015 Virginia Uniform Statewide Building Code (USBC), on Section 102.3 Exemption 1 concerning whether a permit was required to add, upgrade, or replacement an antenna on an existing tower.

After deliberations, Mr. Witt moved that the answer is No, a permit is not required to add, upgrade, or replace an antenna on an existing cell tower because it is exempted from the code, as long as it does not create an unsafe condition prohibited by the USBC. The motion was seconded by Mr. Mays and passed unanimously.

A note was added to the interpretation that reads: *For example, if you are increasing the structural load on an existing tower by adding, upgrading, or replacing an antenna on an existing cell tower, you may be creating an unsafe condition prohibited by the USBC.*

**State Building Code Technical Review Board
November 15, 2019 Minutes - Page 3**

New Business

Appeal of Janett Fisher Pakravan; Appeal No. 19-03:

A hearing convened with Chairman Dawson serving as the presiding officer. The appeal involved citations under Virginia Maintenance Code related to the property leased by Janett Pakravan located at 309 Cedarwood Court 102, in the City of Virginia Beach.

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

Robert Lee Etheredge, City of Virginia Beach
Randy Blake, City of Virginia Beach
Wells Freed, City of Virginia Beach

Also present was:

B.K. "Kay" Wilson, Esq., legal counsel for the City of Virginia Beach

Janett Fisher Pakravan was not present; however, she was given proper notice of the hearing.

After testimony concluded, Chairman 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: Janett Fisher Pakravan; Appeal No. 19-03:

After deliberations, Mr. Witt moved to uphold the decision of the local appeals board in denying the appeal because no violations are present. Mr. Witt further moved to direct the City of Virginia Beach to file a letter that the violation to the Virginia Maintenance Code are specifically and explicitly rescinded. The motion was seconded by Ms. Jackson and passed unanimously.

Secretary's Report

Mr. Luter presented the proposed 2020 meeting calendar to the Review Board members. The calendar was approved as presented.

Mr. Luter informed the Board of the caseload for the upcoming meeting scheduled for January 24, 2020.

Adjournment

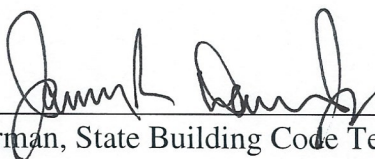
There being no further business, the meeting was adjourned by proper motion at approximately 1:30 p.m.

State Building Code Technical Review Board
November 15, 2019 Minutes - Page 4

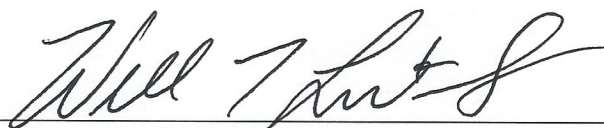
Adjournment

There being no further business, the meeting was adjourned by proper motion at approximately 1:30 p.m.

Approved: January 24, 2020



Chairman, State Building Code Technical Review Board



Secretary, State Building Code Technical Review Board