

**STATE BUILDING CODE TECHNICAL REVIEW BOARD
MEETING MINUTES
January 17, 2025
Virginia Housing Center
4224 Cox Road Glen Allen, Virginia 23060**

Members Present

Mr. James R. Dawson, Chairman
Mr. Vince Butler
Mr. Daniel Crigler
Mr. David V. Hutchins
Ms. Christina Jackson
Mr. R. Jonah Margarella
Mr. Eric Mays, PE
Ms. Joanne Monday
Mr. James S. Moss
Mr. W. Shaun Pharr, Esq., Vice-Chairman
Mr. Aaron Zdinak, PE

Members Absent

Mr. Alan D. Givens
Mr. Joseph Kessler
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 November 15, 2024 meeting in the Review Board members' agenda package were considered. Ms. Monday moved to approve the minutes with the editorial change, recommended by the Secretary, to strike the word " <i>August</i> " on page 7 in line 73 and replace it with " <i>April</i> ". The motion was seconded by Mr. Pharr and passed with Messrs. Butler, Crigler, and Zdinak abstaining.
Final Order	<p><u>RVA Homes LLC: Appeal No. 24-08:</u></p> <p>After review and consideration of the final order presented in the Review Board members' agenda package, Ms. Monday moved to amend paragraph three on page 15 of the agenda package, consisting of lines 81-89 of the final order, to read as follows:</p>

"The Review Board found that the April 26, 2024 NOV was moot and the appeal was not properly before the board because, although RVA was the property manager of 1321 Porter Street, and was properly issued an NOV on April 26, 2024 (which was properly appealed to the LBBCA as she was

aggrieved by the NOV at the time, and was a party to the LBBCA hearing, which then properly brought the appeal before the Review Board). Based on the testimony at the hearing and evidence provided as of May 29, 2024, RVA was no longer the property manager for 1321 Porter Street and as of the Review Board hearing, RVA was no longer a responsible party. Additionally, the Review Board directed the City to rescind the April 26, 2024 RVA Home LLC NOV to create an official record that the April 26, 2024 RVA Home LLC NOV no longer exists.”

The motion was seconded by Mr. Margarella and passed with Messrs. Butler, Crigler, and Zdinak abstaining.

After further review and consideration of the final order presented in the Review Board members’ agenda package, Ms. Monday moved to amend the last paragraph on page 15, which extended to the first paragraph of page 16 of the agenda package, consisting of lines 94-102 of the final order, to read as follows:

“The NOV is moot and the appeal is dismissed as not properly before the Board because, although RVA was the property manager of 1321 Porter Street, and was properly issued an NOV on April 26, 2024 (which was properly appealed to the LBBCA as she was aggrieved by the NOV at the time, and was a party to the LBBCA hearing, which then properly brought the appeal before the Review Board). Based on the testimony at the hearing and evidence provided as of May 29, 2024 RVA was no longer the property manager for 1321 Porter Street and as of the Review Board hearing, RVA was no longer a responsible party. Additionally, the Review Board directs the City to rescind the April 26, 2024 RVA Home LLC NOV to create an official record that the April 26, 2024 RVA Home LLC NOV no longer exists.”

The motion was seconded by Mr. Pharr and passed with Messrs. Butler, Crigler, and Zdinak abstaining.

After review and consideration of the final order as amended, Mr. Mays moved to approve the final order with two editorial corrections previously approved by vote of the board members present. The motion was seconded by Ms. Jackson and passed with Messrs. Butler, Crigler, and Zdinak 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.

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New Business

Stanley Martin Homes and Beazer Homes: Appeal No. 24-11:

A preliminary hearing convened with Chair Dawson serving as the presiding officer. The hearing was related to a master building plan for five buildings which will consist of 64 dwelling units submittal in Loudoun County.

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

Ryan Kenvin, Beazer Homes
Bill Foliaco, Stanley Martin Homes
Michael Taylor, Stanley Martin Homes
Dale Wilkowske, Pinnacle Design and Consulting, Inc.
Raymond Rinaldi, Loudoun County Building Official

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: Stanley Martin Homes and Beazer Homes: Appeal No. 24-11:

After deliberations, Mr. Mays moved that the appeal was properly before the Board because both Stanley Martin Homes and Beazer Homes were aggrieved by the Building Official's denial of a modification request. The motion was seconded by Mr. Moss and passed unanimously.

After further deliberations, Mr. Butler moved to schedule the appeal hearing for the merits of the case for February 21, 2025 and no more submittals be accepted. The motion was seconded by Ms. Monday and failed with Messrs. Hutchins, Margarella, Mays, Moss, Pharr, and Zdinak and Ms. Jackson and Monday voting in opposition.

After further deliberations, Mr. Pharr moved to schedule the appeals hearing for the merits of the case for March 21, 2025 and allow the parties to submit a final submittal related to the merits of the case. The motion was seconded by Mr. Mays and passed with Mr. Butler voting in opposition.

After further deliberations, Mr. Mays moved that the Review Board request the Board of Housing and Community Development consider emergency regulations to address VCC Section 903.3.1.2 NFPA 13R Sprinkler Systems as it related to sprinkler requirements for R2 and R3

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occupancy buildings. Mr. Mays further moved that SBCO staff submit a request for an interpretation to the ICC for IRC Section 903.3.1.2 NFPA 13R Sprinkler Systems as it related to R2 and R3 occupancy buildings. The motion was seconded by Mr. Butler and passed with Ms. Jackson abstaining.

Secretary's Report

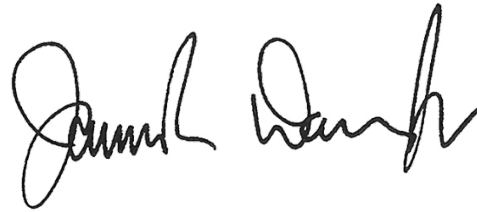
Mr. Luter informed the Review Board of the current caseload for the upcoming meeting scheduled for February 21, 2025.

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 1:30 p.m.

Approved: February 21, 2025



Chair, State Building Code Technical Review Board



Secretary, State Building Code Technical Review Board