



Local Board of Building Code Appeals February 2, 2023

The Local Board of Building Code Appeals meeting of the Town of Front Royal, Virginia was held on February 2, 2023, at 6 p.m. Town Hall, 2nd Floor Conference Room.

CALL TO ORDER:

Monica McClure called the Local Board of Building Code Appeals (LBBCA), February 2, 2023, meeting to order at 6:00 p.m.

ROLL CALL – DETERMINATION OF QUORUM

Present: Ellen Aders
 George Cline
 Gary Gillespie
 Charles Gornowich
 Christopher Stankiewicz

Staff: Monica McClure, Property Maintenance Official
 Lauren Kopishke, Planning Director / Zoning Administrator
 John Ware, Deputy Zoning Administrator
 Connie L Potter, Executive Assistant / Clerk for LBBCA

MEMBER INTRODUCTIONS

Each Board member gave a brief introduction of themselves.

ELECTION OF OFFICERS

Mr. Cline moved, seconded by Mr. Stankiewicz to nominate Gary Gillespie as Chairman.

VOTE: Yes – Aders, Cline, Gillespie, Gornowich, Stankiewicz
 No – N/A
 Abstain – N/A
 Absent – N/A

VOICE VOTE

BY-LAWS

Ms. Kopishke shared that staff had provided two versions of the by-laws to the Board. She said that she would merge the Assistant Town Attorney George Sonnett's comments into one document.



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The proposed by-laws were derived from the Property Maintenance Code. Suggested changes to the by-laws were to nominate a Vice Chairman to the Board. Ms. Kopishke noted that the state does not require a Vice Chairman to the Local Board of Building Code Appeals.

Board members agreed they would like to appoint a Vice Chairman.

Mr. Gornowich moved, seconded by Mr. Stankiewicz to amend Article 1.1 to be as that the Local Board of Building Code Appeals shall organize and annually elect a Chairman and a Vice Chairman in the month of February.

VOTE: Yes – Aders, Cline, Gillespie, Gornowich, Stankiewicz

No – N/A

Abstain – N/A

Absent – N/A

VOICE VOTE

Mr. Stankiewicz moved, seconded by Mr. Gornowich to nominate George Cline as Vice Chairman.

VOTE: Yes – Gillespie, Gornowich, Stankiewicz, Aders, Cline

No – N/A

Abstain – N/A

Absent – N/A

VOICE VOTE

Vice Chairman Cline referred to Article 3.10 and 3.11 in the by-laws and asked if a time limit needed to be set for the presentation and rebuttal.

After some discussion the following motion was made.

Vice Chairman Cline moved, seconded by Mr. Gornowich to amend Article 3.10, and add a thirty (30) minute time limit for a presentation and Article 3.11 to allow fifteen (15) minutes for the rebuttal.

VOTE: Yes – Aders, Cline, Gornowich, Stankiewicz, Gillespie

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

Ms. Aders moved, seconded by Mr. Gornowich to approve the by-laws as amended.

VOTE: Yes – Cline, Stankiewicz, Gornowich, Aders, Gillespie

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL



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MEMBERSHIP TERMS

The State Code requires members to have staggered terms so that no more than half the members are up for reappointment in any given year. Staff have randomly set term limits for each Board member. All individuals will serve a five-year term.

APPEAL APPLICATION AND FEE

Ms. Kopishke explained that the Property Maintenance Official Monica McClure, will conduct inspections and send a letter to address any violations. The property owner will have the opportunity to submit an appeals form and present it to the Local Board of Building Code Appeals. State Code allows an application fee to be charged.

Board members and staff discussed what they felt the application fee should be. In addition, there was discussion on the process for a property owner to appeal against a violation(s).

Mr. Gornowich moved, seconded by Mr. Stankiewicz to charge \$400 for the appeals application.

VOTE: Yes – Aders, Cline, Gillespie, Gornowich, Stankiewicz

No – N/A

Abstain – N/A

Absent – N/A

VOICE VOTE

OTHER

- Tax Forms

Ms. Potter explained that tax forms needed to be submitted to Human Resources in order for Board members to receive the stipend.

Vice Chairman Cline asked if the Board would have legal council present when they hear an appeal.

Mr. Sonnett said that staff is looking into whether there is a state resource. As far as the Town Attorney being council for the LBBCA there is an inherent conflict of interest and noted that his allegiance is to the staff.

Town Manager Joe Waltz reiterated they are looking into what avenue there is for representation for the LBBCA.



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Mr. Gornowich posed the question if the Board can go into a closed session to discuss and make a decision on the appeal.

Vice Chairman Cline stated that a decision is made when the appeal is heard. He noted that he finds it helpful to do a site visit so when Board members are hearing the case they can apply the visual to what they are hearing.

Ms. McClure noted that photographs and videos will be provided if needed.

Chairman Gillespie thanked everyone for volunteering to be on the Board.

ADJOURNMENT

With no further business before the Board,

Vice Chairman Cline moved, seconded by Mr. Gornowich to adjourn the meeting.

VOTE: Yes – Gornowich, Cline, Gillespie, Aders, Stankiewicz
 No – N/A
 Absent – N/A
 Abstain – N/A

VOICE VOTE

The meeting was adjourned at 6:51 p.m.

Approved by the Local Board of Building Code Appeals
Date: 2/1/2024