



**Building and Fire Code Board of Appeals
Draft MINUTES**

**REGULAR MEETING
January 26, 2011**

The Building and Fire Code Board of Appeals convened in a regular meeting on January 26, 2011 at City Hall, 301 West 2nd Street, 1st Floor, Board & Commission Conference Room, Austin, Texas

Board Chair Frank Haught called the meeting to order at 1:35 p.m.

Board Members in Attendance: Frank Haught, Michael Thorn-Leeson, Scott Stookey, Michael Cannatti, and Alan Schumann.

Staff in Attendance: Leon Barba, Dan McNabb, Julie Kirby, and Jose Roig.

Board Members Not in Attendance: Board Member's Steven King and James Sullivan were absent.

1. APPROVAL OF MINUTES: The minutes from the meeting held on October 27, 2010 were approved with the following amendments on Board Member Scott Stookey motion and Board Member Michael Thorn-Leeson second on a vote of 4-1-2. Board Member Alan Schumann abstained from the vote, and Board Member Steven King and James Sullivan were absent from the vote.

- **Approve bylaws:**

ACTION: Board Member James Sullivan made a motion to adopt the bylaws as written, seconded by Board Member Michael Cannatti for a vote of 5-0-2. Board Member Alan Schumann was absent for the vote.

2. CITIZEN COMMUNICATIONS: Richard Viktorin gave a 3 minute summary of his appeal related to the Public Hearing 3(d) on the agenda for 2005 Exposition Blvd.

3. CONDUCT A PUBLIC HEARING: Since no one signed up to speak, there was no motion to open the public hearing for items a, b, and c.

- a. Revised bylaws:**

ACTION: Board Member Alan Schumann made a motion to adopt the bylaws as written, seconded by Michael Cannatti for a vote of 5-0-0. Board Member Steven King and James Sullivan were absent from the vote.

b. 2011 Board Meeting Schedule:

ACTION: The 2011 Board Meeting Schedule was approved with the following amendments on Board Member Scott Stookey motion and Board Member Alan Schumann second on a vote of 5-0-0. Board Member Steven King and James Sullivan were absent from the vote.

- The board shall meet when the board is legally required to meet to comply with the legal deadline.
- Move the “Election of Officers” to the October 26, 2011 meeting.

c. Rules and Procedures for Public Hearings:

ACTION: Board Member Scott Stookey made a motion to adopt the “Rules and Procedures for Public Hearings” with the following amendments, seconded by Board Member Michael Thorn-Leeson for a vote of 5-0-0. Board Member Steven King and James Sullivan were absent from the vote.

- Add “maximum of 15 minutes” to Item #5 and Item #8.

d. CONDUCT A PUBLIC HEARING: Appeal of the Building Official decision at 2005 Exposition for building permit # 2010-055893-BP:

After hearing a staff presentation by the Building Official, Assistant City Attorney for the Board discussed the issue of whether the appellant had standing to appeal the decision. The Board voted 4-1 to find that the appellant had standing and to open the public hearing to consider the merits of the appeal.

ACTION: Board Member Scott Stookey made a motion to uphold the decision of the Building Official and deny the appeal, seconded by Board Member Michael Thorn-Leeson for a vote of 4-1-2. Board Member Michael Cannatti voted against. Board Member Steven King and James Sullivan were absent from the vote.

The Board found that the 9” stair treads, as constructed, did not comply with the minimum requirements of the 1995 Council of American Building Officials Code (CABO) that was in effect in 1997.

5. ADJOURN – Motion to adjourn the meeting was made by Michael Thorn-Leeson and was seconded by Michael Cannatti for a vote of 5-0-2. Frank Haught adjourned the meeting at 3:32 p.m.