

CITY OF BELLAIRE TEXAS

BUILDING AND STANDARDS COMMISSION

FEBRUARY 26, 2014

Council Chamber and Council Conference Room
6:00 PM

Regular Session

7008 S. RICE AVENUE
BELLAIRE, TX 77401



Chairperson

Kristin Schuster

Commissioner

Paul Katz

Commissioner

Mike Baker

Vice Chairperson

Laura Thurmond

Commissioner

Burt Martin

Commissioner

Laolu Yemitan

Mission Statement:

The City of Bellaire is dedicated to outstanding quality service and facilities to ensure an open, progressive, and secure community.

I. WORKSHOP SESSION**A. Call to Order****B. Announcement of Quorum****C. Discussion and preparation of the letter the Commission wished to send forward to City Council recommending proposed amendments to the City of Bellaire Code of Ordinances, Chapter 9, Buildings, with regards to crawlspace requirements.****D. Adjournment****II. REGULAR SESSION****A. Call to Order****B. Announcement of Quorum****C. Rules for Public Comment**

- 1. Sign up forms will be available at all Regular and Special meetings for registering the names of members of the Public who wish to either: i) speak on an agenda item, provided such items have not been the subject of a prior public hearing; or ii) make a general comment related to the Commission business. These forms will be given to the Secretary prior to the start of the meeting so that the person's name can be called to address the Commission at the appropriate time.**
- 2. Public Comments on agenda items will be made at the time an agenda item appears in the Order of Business and before the Commission's consideration of that item.**
- 3. Public Comments of a general nature shall be made at the time designated by the Order of Business.**
- 4. All public comments shall be limited to six (6) minutes per speaker with extensions of two (2) minute increments as approved by a majority vote of Commission members present.**
- 5. Public Comment at Workshop meetings will be allowed at the discretion of the Chair. Any comments will be limited as described in Article IV Sec 8.**

D. Approval or Correction of the Minutes

- 1. Building and Standards Commission - Regular Session - Jan 22, 2014 7:00 PM**

E. Public Comment**F. Report from Building Official****G. Reports of Committees and Communications****1. Communications to Commission members outside of posted meetings****2. Committee Reports****3. Reports from Staff other than the Building Official****H. Old Business**

1. Discussion, Consideration, and Possible action on the letter the Commission wishes to forward to City Council recommending proposed amendments to the City of Bellaire Code of Ordinances, Chapter 9, Buildings, with regards to crawlspace requirements.

(Requested by John McDonald, Community Development)

I. New Business

1. Swearing in of new Commission member

(Requested by John McDonald, Community Development)

2. **The Chair shall recognize any Commissioner who wishes to bring New Business to the attention of the Commission. Consideration of New Business shall be for the limited purpose of determining whether the matter is appropriate for inclusion on a future agenda of the Commission or referral to Staff for investigation.**

J. Public Hearings**K. Announcements & Comments by Commissioners****L. Adjournment**



CITY OF BELLAIRE TEXAS
BUILDING AND STANDARDS COMMISSION
JANUARY 22, 2014

Council Chamber

Regular Session

7:00 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

A. CALL TO ORDER

Chairman Schuster called the meeting to order at 7:03 PM.

B. ANNOUNCEMENT OF QUORUM

Chairman Schuster announced that a quorum was present, consisting of the following members:

Chairman Kristin Schuster
Vice Chairman Laura Thurmond
Commissioner Mike Baker
Commissioner Paul Katz

Commissioners Yemitan and Martin were absent from the proceedings.

The following staff members were in attendance:

Building Official, Lee Cabello
Development Services Manager, Shawn Cox
Planning & Zoning Secretary, Ashley Parcus

Councilman Pat McLaughlan was also present.

C. RULES FOR PUBLIC COMMENT

Minutes Acceptance: Minutes of Jan 22, 2014 7:00 PM (Approval or Correction of the Minutes)

1. **Sign up forms will be available at all Regular and Special meeting for registering the names of members of the Public who wish to either: i) speak on an agenda item, provided such items have not been the subject of a prior public hearing; or ii) make a general comment related to the Commission business. These forms will be given to the Secretary prior to the start of the meeting so that the person's name can be called to address the Commission at the appropriate time.**
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5. **Public comment at Workshop meeting will be allowed at the discretion of the Chair. Any comments will be limited as described in Article IV Sec 8.**

Seeing no public in the audience, Chairman Schuster skipped over the rules for public comment.

D. APPROVAL OR CORRECTION OF THE MINUTES

1. Regular Meeting Minutes of December 11, 2013

Commissioner Katz asked that line 120 be changed to read "Commissioner Katz was out due to family obligations..."

(Requested by John McDonald, Community Development)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mike Baker, Commissioner
SECONDER:	Laura Thurmond, Vice Chairperson
AYES:	Schuster, Thurmond, Katz, Baker
ABSENT:	Martin, Yemitan

E. PUBLIC COMMENT

There was no public comment.

F. REPORT FROM BUILDING OFFICIAL

Mr. Cabello informed the Commission that one of the houses that he was planning on bringing before the Commission as a substandard house will be moved out of the city within a couple of weeks, while the other house will most likely be demolished due to the owners inability to repair it. He stated that he is still in contact with the homeowner's attorney trying to come up with a solution. Mr. Cabello told the Commission that the Community Development Department is continuing to get a high number of house plans for new construction.

G. REPORTS OF COMMITTEES AND COMMUNICATIONS

1. Communications to Commission members outside of posted meetings

There were no communications to report.

2. Committee Reports

There were no committee reports.

3. Reports from staff other than the Building Official

a. Quarterly Web page Report

Mr. Cox apologized to the Commission and explained that the staff member who obtains this number has been out of the country. He informed the Commission that he would have those numbers to them at the next meeting.

Chairman Schuster asked Mr. Cox if staff would email that information to the Commission.

Mr. Cox agreed that staff would get it emailed to them.
(Requested by John McDonald, Community Development)

H. OLD BUSINESS

1. Discussion, Consideration, and Possible Action regarding changes to the City of Bellaire Code of Ordinances, Chapter 9, Buildings

Chairman Schuster explained that the most recent copy of the materials, which the Commission has already taken action on, was included in the agenda packet. She informed the Commission that after speaking with Mr. McDonald, Councilman McLaughlan, and Elliot Barner, the general consensus is that the Commission should move forward by compiling a report to send to City Council, either for a request for a workshop, or for their consideration. Chairman Schuster stated that she would like to get the report on Council's agenda sometime in February.

Commissioner Baker asked Chairman Schuster if she felt as though staff's recommendation to compile a report is a result of their resistance to go forward with these changes.

Chairman Schuster confirmed this. She added that the Commission respects staff's position on this and that the report will give the Commission the ability to address all of the issues that have been considered. She explained that although staff simply wrote the temporary job site fencing and dumpster requirements into the revisions, the Commission is having to go a different route with these issues due to the fact that they are more complicated and would require an additional inspection by staff. She stated that the Commission needs to go before Council and make their case and that she would prefer that Council be educated on the work that the Commission has done prior to the consideration of the changes.

Commissioner Katz pointed out that it wouldn't necessarily have to require an additional inspection, just a certification from the builder.

Chairman Schuster suggested that the Commission schedule a workshop to complete the report. She stated that she would create a rough draft outline that can be edited and added to during the workshop. Chairman Schuster asked if Wednesdays work for everyone.

The Commission was in agreement that Wednesdays would be fine.

Commissioner Baker asked that it be scheduled during the day versus during the evening.

Chairman Schuster told the Commission that times/dates would be sent out to see what will work best for everyone.

(Requested by John McDonald, Community Development)

2. Discussion of the Biggert-Waters Flood Insurance Reform Act of 2012

Chairman Schuster explained that there was an article from the Insurance Journal included in the packet about the congressional spending plan possibly curbing some flood insurance hikes. She felt that the Commission does not need to race to put this item back on the agenda due to the work that is currently being done in Washington D.C. to help alleviate the impact of this act. Chairman Schuster mentioned that the Community Rating System (CRS) would be something that the Commission could focus their attention on in order to help residents improve their flood insurance rates. She informed the Commission that this item was put on the agenda simply as an update.

Mr. Cabello informed the Commission that several residents have come to him to get a letter written stating that their house was built in a certain zone prior to the changes made by the Biggert-Waters Act.

Chairman Schuster stated that it is good to know that residents have that option.

(Requested by John McDonald, Community Development)

I. NEW BUSINESS

1. Discussion, Consideration, and Possible Action regarding the Building & Standards Commission's 2013 Annual Report to City Council

Chairman Schuster apologized for not getting the draft to the Commission until Tuesday and stated that she hoped they had a chance to look at it prior to the meeting. She stated that since sending it out she has found some corrections that need to be made.

Vice Chairman Thurmond mentioned the reference to a "Title 44 Variance" in the first paragraph and asked if there was a reason that this was being called out specifically.

Chairman Schuster stated that the whole sentence was wrong because the Commission had in fact considered a Title 44 Variance. She amended the line to read "During 2013 the Commission did not hear any complaints regarding substandard structures."

Vice Chairman Thurmond also provided Mark Smith's information in section 4. g.

Chairman Schuster pointed out that the number of workshop sessions needs to be changed from 4 to 5, added the word "requirements" to the end of section c.1., added the words "to reduce residents' flood insurance rates" to the end of section 4. c., and made the words "Deconstruction," "Demolition," and "Requirements" lower case.

Commissioner Katz felt that 2. e.1. should read "Crawlspace Ventilation **or** Vapor Barrier Requirements." He explained that the focus should be on increasing ventilation requirements in the crawlspace.

Commissioner Baker first commended Chairman Schuster's work on the annual report. He pointed out that 2.c.1. ended in a comma and that Marvin Blum of Blum Custom Homes needed to be added to the list of builders in 4.f.

(Requested by John McDonald, Community Development)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Laura Thurmond, Vice Chairperson
SECONDER:	Paul Katz, Commissioner
AYES:	Schuster, Thurmond, Katz, Baker
ABSENT:	Martin, Yemitan

2. Update on the Commission's collaboration with the Environment & Sustainability Board with regards to the new city facilities

Chairman Schuster informed the Commission that a copy of the letter that went to City Council was included in the agenda packet. She stated that she has not heard any feedback from the letter, and asked Councilman McLaughlan if he had any information regarding that.

Councilman McLaughlan told the Commission that he has heard no feedback from the letter, but that it was received and will hopefully be accepted.

Chairman Schuster stated that she would follow up.
(Requested by John McDonald, Community Development)

3. **The Chair shall recognize any Commissioner who wishes to bring New Business to the attention of the Commission. Consideration of New Business shall be for the limited purpose of determining whether the matter is appropriate for inclusion on a future agenda of the Commission or referral to Staff for investigation.**

There was no new business.

J. PUBLIC HEARINGS

There were no public hearings.

K. ANNOUNCEMENTS & COMMENTS BY COMMISSIONERS

Chairman Schuster informed the Commission that there are several applicants interviewing to fill Commissioner Rigby's position but that she was not aware of when a decision will be made.

L. ADJOURNMENT

Motion: a motion was made by Commissioner Baker and seconded by Commissioner Katz to adjourn the regular meeting.

Vote: the motion carried on a unanimous vote of 4-0.

The meeting was adjourned at 7:26 PM.

**Building and Standards
Commission**

Council Chamber, First Floor of City
Hall
Bellaire, TX 77401



Meeting: 02/26/14 06:00 PM
Department: Community
Development
Category: Amendment
Prepared By: Ashley Parcus
Department Head: John McDonald
DOC ID: 1093

**SCHEDULED
ACTION ITEM (ID # 1093)**

Item Title:

Discussion, Consideration, and Possible action on the letter the Commission wishes to forward to City Council recommending proposed amendments to the City of Bellaire Code of Ordinances, Chapter 9, Buildings, with regards to crawlspace requirements.

Item Summary:

This item has been added to the agenda at the Chair's request.

ATTACHMENTS:

- Revised Crawl Space Ordinance(s) from BSC meeting of 9-25-2013 (3) (PDF)

Revised Crawl Space Ordinance(s) from comments at BSC meeting September 25, 2013
by Paul Katz

1. Minimum requirements for proposed crawl space ordinance:

Crawl Space Air Barrier, Insulation and Moisture Control

In addition to the requirements of Sections R402.1 and R402.2 of the 2012 IECC, a non-hygroscopic material air barrier and vapor retarder shall be applied over all surfaces of the insulation facing a crawl space if the insulation does not effectively provide same.

2. (Better) Adding a non-hygroscopic vapor retarder material over all hygroscopic building structures in addition to requirements of number 1 above.

Crawl Space Air Barrier, Insulation and Moisture Control

In addition to the requirements of Sections R402.1 and R402.2 of the 2012 IECC, a non-hygroscopic material air barrier and vapor retarder shall be applied over all surfaces of the insulation facing a crawl space if the insulation does not effectively provide same.

All surfaces of hygroscopic building structures facing the vented crawl space shall be covered with a non-hygroscopic vapor retarder material, except as stated hereinafter. Crawl space walls and support columns isolated from the building structures with a capillary break such as a metal termite shield or plastic sheeting, having properly sealed overlapping edges, are not required to be covered with the non-hygroscopic vapor retarder material.

3. A second proposed ordinance adding a vapor barrier at ground level in addition to the Crawl Space Air Barrier, Insulation and Moisture Control ordinance, of either numbers 1 or 2 above.

Crawl Space Vapor Barrier

Exposed earth in vented crawl spaces shall be covered with a continuous vapor barrier having sealed or taped seams.

4. An alternate second proposed ordinance adding a vapor retarder at ground level in addition to the Crawl Space Air Barrier, Insulation and Moisture Control ordinance, of either numbers 1 or 2 above.

Crawl Space Vapor Retarder

Exposed earth in vented crawl spaces shall be covered with a continuous Class I vapor retarder having sealed or taped seams in accordance with the requirements for an unvented crawl space per Section R402.2.10 of the 2012 IECC. Edges of the continuous Class I vapor retarder in contact with walls and support columns in the crawl spaces shall be attached and sealed thereto.

Revised Crawl Space Ordinance(s) from comments at BSC meeting September 25, 2013
by Paul Katz

2012 IECC, R402.2.10, Crawl space walls.

As an alternative to insulating floors over crawl spaces, crawl space walls shall be permitted to be insulated when the crawl space is not vented to the outside. Crawl space wall insulation shall be permanently fastened to the wall and extend downward from the floor to the finished grade level and then vertically and/or horizontally for at least an additional 24 inches (610 mm). Exposed earth in unvented crawl space foundations shall be covered with a continuous Class I vapor retarder in accordance with the *International Building Code* or *International Residential Code*, as applicable. All joints of the vapor retarder shall overlap by 6 inches (153 mm) and be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (153 mm) up the stem wall and shall be attached to the stem wall.

Comments on Proposed Crawl Space Ordinance(s)

The very minimum crawl space ordinance would be number 1 above. Several high end builders are already doing this type of crawl space insulation. Selecting number 2 above may or may not be as critical, especially if the builders are using treated lumber. But treated lumber is still hygroscopic. Further research and discussion are needed to support the number 2 version above. Number 3 above is important and worthwhile, *e.g.*, Burt Martin's experience with his crawl space issues. Cost to implement sealing seams of a vapor barrier on ground is not great. Sealing seams between vapor barrier panels would be better than what is being done now. Goal is to reduce exposed area in crawl space that can generate increased vapor pressure. Proper drainage and ground slope (grading) is of the utmost importance too but is already covered in the 2012 IRC and other Bellaire ordinances.

I used "Class I vapor retarder" in number 4 above to align with the 2012 IECC, R402.2.10, crawl space walls requirements, but if the crawl space is vented then maybe using a vapor barrier having sealed seams with or without attachment to crawl space walls (?) would be better pursuant to number 3 above. Further research and discussion are needed. The cost to implement sealing seams of a Class I vapor retarder on ground and attaching to crawl space walls is not great. Goal is to reduce exposed area in crawl space that can generate increased vapor pressure.

**Building and Standards
Commission**

Council Chamber, First Floor of City
Hall
Bellaire, TX 77401



Meeting: 02/26/14 06:00 PM
Department: Community
Development
Category: Appointment
Prepared By: Ashley Parcus
Department Head: John McDonald
DOC ID: 1096

**SCHEDULED
ACTION ITEM (ID # 1096)**

Item Title:

Swearing in of new Commission member

Item Summary:

This item is for the swearing in of Danny Spencer to the Building & Standards Commission.