

# CITY OF BELLAIRE TEXAS

## BUILDING AND STANDARDS COMMISSION

JULY 23, 2014

Council Chamber	Regular Session	7:00 PM
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7008 S. RICE AVENUE  
BELLAIRE, TX 77401



### Chairperson

Kristin Schuster

### Commissioner

Burt Martin

### Vice Chairperson

Laura Thurmond

### Commissioner

Mike Baker

### Commissioner

Danny Spencer

### Commissioner

Paul Katz

### 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. REGULAR SESSION****A. Call to Order****B. Announcement of Quorum****C. Rules for Public Comment**

- i. 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.**
- ii. 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.**
- iii. Public comments of a general nature shall be made at the time designated by the Order of Business.**
- iv. 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.**
- v. 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 - Workshop & Regular Session - Jun 25, 2014 6:30 PM**

**E. Public Comment****F. Unfinished Business, Communications, and Reports****G. Swearing in of new Commissioners****H. Incoming Commission**

- i. Introduction of Incoming Commissioners**
- ii. Election of Chair and Vice Chair**
- iii. Adoption of the Rules of Procedure**

**I. Report from the Building Official****J. Reports of Committees and Communications****i. Communications to Commission members outside of posted meetings****K. Old Business****L. New Business**

1. Consideration and possible action on a request for variance to Chapter 9, Buildings, Article II. Building Codes, Division 2, Attached Single Family Dwelling Zoning District, Section 9-27, Partition and exterior wall regulations, of the City of Bellaire Code of Ordinances to allow for a reduction in the height of the masonry fire wall above the roof from 18 inches to 8 inches at 6312 Meredith Drive Bellaire, Texas 77401.

(Requested by Lee Cabello, Building and Standards Commission)

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.**

**M. Announcements and Comments by Commissioners****N. Adjournment**



# CITY OF BELLAIRE TEXAS

## BUILDING AND STANDARDS COMMISSION

JUNE 25, 2014

Council Chamber and Council Conference Room  
6:30 PM

Workshop & Regular Session

7008 S. RICE AVENUE  
BELLAIRE, TX 77401

### I. WORKSHOP SESSION

#### A. Call to Order

#### B. Announcement of Quorum

#### C. Discussion on a Report and Recommendation to the City Council on water vapor control in residential crawlspace construction, including proposed amendments to the City of Bellaire Code of Ordinances, Chapter 9, Buildings.

#### D. Adjournment

The workshop adjourned at 7:41 PM.

#### i. The Building & Standards Commission reserves the right to reconvene the Workshop Session after the Regular Session has adjourned.

Chairman Schuster asked Attorney Petrov to speak on the city's liability regarding the proposed amendment.

Attorney Petrov did not feel that adopting this amendment would open the city up to liability. He also mentioned that the language proposed by the Commission was somewhat unclear. He stated that the wording "if the insulation does not effectively provide the same" opens up the question of who determines sufficient insulation.

Chairman Schuster explained that each product has a rating that tells you the permeability of the product.

Attorney Petrov asked for clarification that what the language is saying is that a Class III vapor retarder shall be applied over all surfaces of the insulation facing the crawlspace, if the insulation does not itself act as the Class III.

The Commission confirmed this.

Attorney Petrov suggested that they include a few more words to better explain this.

### II. REGULAR SESSION

#### A. Call to Order

Chairman Schuster called the meeting to order at 7:08 PM.

#### 1. Announcement of Quorum

Minutes Acceptance: Minutes of Jun 25, 2014 6:30 PM (Approval or Correction of the Minutes)

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

Attendee Name	Title	Status	Arrived
Kristin Schuster	Chairperson	Present	
Laura Thurmond	Vice Chairperson	Present	
Paul Katz	Commissioner	Present	
Burt Martin	Commissioner	Absent	
Mike Baker	Commissioner	Present	
Laolu Yemitan	Commissioner	Present	
Danny Spencer	Commissioner	Present	
Lee Cabello	Building Official	Present	
Ashley Parcus	Secretary	Present	

## B. 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.**
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- 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.**

Chairman Schuster pointed out that the rules for public comment are listed on the agenda.

## C. Approval or Correction of the Minutes

1. Building and Standards Commission - Workshop & Regular Session - May 28, 2014 6:00 PM

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike Baker, Commissioner
<b>SECONDER:</b>	Laura Thurmond, Vice Chairperson
<b>AYES:</b>	Schuster, Thurmond, Katz, Baker, Yemitan, Spencer
<b>ABSENT:</b>	Martin

#### D. Public Comment

**Lee Hampton**-Mr. Hampton informed the Commission that he is the builder for Victory Custom Homes and is a new member of the Building and Standards Commission. He explained that his background is in engineering and that he became a full time builder 4 or 5 years ago. Mr. Hampton added that he, his wife, and three children moved to Bellaire about 8 months ago, and that he looks forward to participating in the Commission.

**Charles Formica**-Mr. Formica informed the Commission that he and his wife are 27 year residents of Bellaire, and have two sons that were raised here. He added that they are now empty nesters and he is looking forward to the activity of the Commission to give him something to do.

#### E. Report from Building Official

There was no report from the building official.

#### F. 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

There were no reports from staff.

#### G. Old Business

1. Discussion, Consideration, and Possible Action Regarding Amendments to the City of Bellaire Code of Ordinances, Chapter 9, Buildings, Article II, Building Codes, Division 1, Generally, Sec. 9-17, Amendments to building code.

Chairman Schuster explained that the updated report was included in the Commission's agenda packet.

A motion was made by Vice Chairman Thurmond and seconded by Commissioner Spencer to adopt the revisions addressing the redundancy of vapor retarders and the clarification of why Bellaire does not have sealed crawlspaces.  
(Requested by John McDonald, Community Development)

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Laura Thurmond, Vice Chairperson
<b>SECONDER:</b>	Danny Spencer, Commissioner
<b>AYES:</b>	Schuster, Thurmond, Katz, Baker, Yemitan, Spencer
<b>ABSENT:</b>	Martin

## H. New Business

1. Discussion, consideration and possible action on a response to letters dated April 22, 2014 and May 2, 2014 from DPIS Engineers, regarding Crawl Space Air Barrier, Insulation and Moisture Control.

Chairman Schuster informed the Commission that a draft of the response letter, prepared by Vice Chairman Thurmond, was emailed to all of the Commissioners prior to the meeting.

Commissioner Katz made the following corrections to the first paragraph of the letter:

1. Deleted the "s" after "Building"
2. Replaced "committee" with "Commission"
3. Capitalized "Standards Commission"
4. Added "of" after "matter"
5. Added "the City of" after "microcosm of"

The following corrections were made to the second paragraph:

1. Struck "in" and added "around the perimeter of the ventilated crawl space" after "flood vents"
2. Replaced "the best practice for crawl spaces" with "effective in reducing moisture from the crawl space into the living space for a home"
3. Replaced "suggested" with "used"
4. Added an "s" to the end of "method" and replaced "does" with "do"
5. Added "or above" before "90%"
6. Added "when cooled by the conditioned space above to the point where the moisture laden crawl space air condenses onto the wood floor joists" after "deteriorate"
7. Added "in the warm (outside) side of the wall assembly" after "moisture retarder"

The following corrections were made to the third paragraph:

1. Added "and should never be used in a hot humid climate" after "floor assembly"
2. Added "a" before "moisture retarder"
3. Added "(cold side)" after "top side"

Commissioner Baker asked if this letter was intended to be from the Building and Standards Commission as a whole or from Commissioner Katz, as an engineer.

Chairman Schuster explained that because the letter from DPIS was addressed to the city she felt it was appropriate to respond from the Commission as a whole. She added that a list of the Commissioners and their qualifications could be added to the end of the letter if the Commission felt it necessary.

A motion was made by Commissioner Spencer and seconded by Vice Chairman Thurmond to approve the letter as revised by Commissioner Katz.

Commissioner Katz mentioned that he could also include authoritative citation references if the Commission wished.

Commissioner Spencer mentioned that a conversation had come up in the workshop prior to the regular session regarding the cost of Smart Vents and asked if the Commission was comfortable referring to them as costly in the report.

Vice Chairman Thurmond pointed out that in comparison to a traditional vent there is a significant difference in cost.

Commissioner Spencer stated that he felt comfortable with Vice Chairman Thurmond's knowledge of that subject and did not move to change the letter.

Commissioner Baker offered an amendment to the motion to include the references.

Commissioner Spencer explained that this is a response to an unsolicited letter from an engineering firm questioning what the Commission is doing, and is just meant to clarify the Commission's intentions. He felt that this is a courtesy response and that including references was not necessary.

Vice Chairman Thurmond agreed with Commissioner Spencer.

Commissioner Baker withdrew his friendly amendment.

Commissioner Katz offered a friendly amendment to add the addition of the word "flood" between "the" and "venting" in the second paragraph.

Commissioner Spencer and Vice Chairman Thurmond accepted the friendly amendment.

**Vote:** 6-0.

(Requested by John McDonald, Community Development)

<b>RESULT:</b>	<b>ADOPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Danny Spencer, Commissioner
<b>SECONDER:</b>	Laura Thurmond, Vice Chairperson
<b>AYES:</b>	Schuster, Thurmond, Katz, Baker, Yemitan, Spencer
<b>ABSENT:</b>	Martin

- 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.**

There was no new business brought to the attention of the Commission.



**I. Public Hearings**

There were no public hearings.

**J. Announcements & Comments by Commissioners**

Commissioner Baker pointed out that it is coming to the end of the term and thanked Chairman Schuster for leading the Commission for the past three years.

Commissioner Katz and the rest of the Commission wished Chairman Schuster well.

Chairman Schuster thanked everyone and stated that it has been a pleasure working with the members of the Building and Standards Commission.

**K. Adjournment**

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

Vote: the motion carried on a unanimous vote of 6-0.

The regular meeting was adjourned at 7:35 PM.

**Building and Standards  
Commission**

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



Meeting: 07/23/14 07:00 PM  
Department: Building and Standards  
Commission  
Category: Variance  
Department Head: Lee Cabello  
DOC ID: 1294

**SCHEDULED  
ACTION ITEM (ID # 1294)**

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**Item Title:**

Consideration and possible action on a request for variance to Chapter 9, Buildings, Article II. Building Codes, Division 2, Attached Single Family Dwelling Zoning District, Section 9-27, Partition and exterior wall regulations, of the City of Bellaire Code of Ordinances to allow for a reduction in the height of the masonry fire wall above the roof from 18 inches to 8 inches at 6312 Meredith Drive Bellaire, Texas 77401.

**Background/Summary:**

The existing firewall at 6312 Meredith projects approximately 10" above the roof. Section 9-27 of the City of Bellaire Code of Ordinances require the firewall to project at least 18" above the roof. The applicant is requesting a variance to install a new roof system that will further reduce the firewall's projection to 8" above the roof. The current roof is original to the structure and is needing to be replaced to prevent further leaking into the house.

The house was built in 1978 and did not meet the ordinance that was passed in 1973 which required the 18" projection. The original roof is a flat modified bitumen roof. The proposed roof is a modified TPO Single Ply Roof. The design of the new roof is thicker than the original and with the proposed slope will only leave 8" between the top of the roof and the top of the firewall. The proposed roof will meet the IRC guidelines which require positive drainage. Additionally, the proposed roof deck will be constructed of fire resistant plywood.

**Recommendation:**

Upon review of the application and the material submitted, staff has no objection to the granting of this variance.

**ATTACHMENTS:**

- 6312 Merideth - BSC Variance Application (PDF)



## Anchor Roofing, Inc.

3511 Bering

Houston, TX 77057

Ph: (713)-266-2777

Fax: (713)-266-2787

[www.anchor-roofing.com](http://www.anchor-roofing.com)

[www.anchor-services.com](http://www.anchor-services.com)

[bill@anchor-roofing.com](mailto:bill@anchor-roofing.com)

NRCA Member

RCAT Member

City of Houston Commercial Roofing Registration #00126219

CITY OF BELLAIRE  
RECEIVED

JUN 20 2014

COMMUNITY DEVELOPMENT

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**FROM: Mr. Carl Jackson**  
**6312 Merideth**  
**Lot 49 Trenton Place, T/H .0505 AC**  
**Bellaire, TX 77401**

**TO: City of Bellaire Building Standards Committee**  
**ATTN: Building Standards Committee**

June 20, 2014

ATTN: Building Standards

### ISSUES:

Carl Jackson request this meeting as per directive of Bellaire Building Official, Mr. Lee Cabello, whom requires a Variance or Informal Hearing to Obtain a Permit to Re Roof his home, as no permit can be issued due to a conflict between Fire Code Ord. No 1970, § 1(c), 10-08-73; Ord. No. 85-043, § 13, 07-01-85 , and Either IBC Chapter 15 (Roof Assemblies), or as per his interpretation the IRC Chapter 9 Roof Assemblies, both which require the same 1/4" per 1' to promote Positive Drainage.

Mr. Carl Jackson currently has a Modified Bitumen Roof that is over 25 years old. It is of sufficient age that structural failures are occurring causing considerable damage to the roof decking and internal sheetrock. I have requested Anchor Roofing to replace it with a Code Complaint 80 mil Carlisle Sure Weld TPO / Single Ply Roof with tapered rigid insulation made from Polyisocyanurate to Promote positive drainage.



Mr. Lee Cabello was kind enough to visit the home of Mr. Carl Jackson and Inspect the Existing SBS 3 Ply Assembly that is already Encroaching the Masonry Wall going from 12" to approximately 10" on Center.

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While Mr. Jackson is currently "Grand Fathered In" pre updated Building Code, due City of Bellaire Fire Ordinance:

**FIRE ORDINANCE:**

Exterior walls less than five (5) Feet from the adjoining private property and the partition wall or walls between attached one family residences shall be of masonry construction, shall be non-bearing, and shall have a fire resistance rating of at least (2) hours; and such walls shall extend from the ground to the project at least eighteen (18") above the roof. Walls between attached one family residences may have a common top flashing cap, not over six (6") inches in thickness. An exterior front or rear wall may be constructed of combustible material, provided the facing material of the lower eight feet of the wall is masonry or other non combustible permissible in single family residences, provided that the masonry end walls extend beyond such front or rear wall a minimum of eighteen (18") inches in all places. Houses and rooflines may be offset to meet the above requirements.

(Ord. No 1970, § 1(c), 10-08-73; Ord. No. 85-043, § 13, 07-01-85)

In the Interest of Following Building Code, Mr. Carl Jackson contacted many Roofing Companies, and then found Mr. Bill Hubbell of Anchor Roofing Inc. A well known Roofing Professional in The Commercial Sector in the Houston Area, whom is well versed in all applicable building codes, as it pertains to residential and commercial roof design, construction and installation.

At he request of Carl Jackson, Mr. Bill Hubbell went to the City of Bellaire Permit department to require the necessary information, guidance and permits fror a new roof installation.

## **Anchor Roofing Loss Control Policy Citation:**

**07 01 45 23 – 4**

If the contractor performs Work which he knew or should have known to be contrary to applicable laws, statutes, ordinances, building codes, local rules or regulations, without such notice to the Architect and Owner, the Contractor shall assume full responsibility for such work and shall bear the attributable cost.

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## **Referenced Standards**

A.) In the case of conflict between Contract Documents and the Building Code the more stringent shall govern.

## **Conflict at Hand:**

- Current “grand fathered” Modified bitumen roof has failed
- Requested complete tear off of existing MBR and damaged wood decking
- Installation of new wood decking, new TPO roof installed per NRCA protocol, IRC Chapter 9, and IBC Chapter 9; will cause a need for a variance to City of Bellaire Building Fire Ordinance No 1970, § 1(c), 10-08-73; Ord. No. 85-043, § 13, 07-01-85
- Due to Architectural Constraints, not only is the Masonry Wall Encroached well above 18”, the parapet cap metal has a top width of 8”. On my home and all 5 others it is connected to.
- Townhomes are attached with a masonry firewall extending from the concrete foundation slab to the maximum height of the exposed concrete firewall above the roof.
- As a retired Engineer, knowing better can have short falls, such as since I know better, I have no excuse to willingly violate a Building Code, that typically is Reserved for a Category 1 Building, such as an Institutional Building, and Educational Building, or a Occupied Building providing care for Medical Purposes or Child Care.



- The City of Houston, The NRCA, as well as The IBC and IRC all allow for one Retrofit Assembly, I can provide copies upon request of Granted Permits for similar buildings, that were successfully finalized.
- My current roof is leaking, the roof area above the master bedroom currently has a emergency 6mil poly film covering half of it, repairing the current leaks. The Masonry Fire Wall in Question is well over 24" Tall; however the structure and the Roof Encroach it.
- The Proposed Roofing Assembly has a UL Class A Fire Rating, the highest available. My insurance cover fires in the event of a loss, and I can demonstrate financial responsibility.

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### **Relief Requested:**

I hereby request to the City Of Bellaire Building Standards Committee for a variance that allows me to replace my current Modified Bitumen roof with a new, extremely highly efficient TPO roofing assembly on my home.

It will be a UL Class A Rated Assembly, highly energy efficient, very high in Green efficiency rating per the United States Department of Energy.

### **Supporting Documentation:**

1. The Project Provided Proposal specifies a ¼" to a 1' slope for positive drainage of roof system, cites NRCA protocol, IRC Chapter 9, and IBC Chapter 9; furthermore the 2012 IECC Mandates must also be met as the slope is below 1/12 Pitch.

Letter From: The National Roofing Contractors Association to Mr. Bill Hubbell of Anchor Roofing, a long time member.

**Copy of letter from the NRCA:**

**Letter from NRCA about above mentioned:**

Bill,

To your question about minimum recommended slope for modified bitumen and single-ply membranes—NRCA recommendation is the same for both roof system types. We do not use the 1/8 per foot minimum. In fact the exact language on recommended roof deck slope from The NRCA Roofing Manual: Membrane Roof Systems—2007 is the following

NRCA recommends roof decks be sloped to provide positive drainage for a finished roof system. The criterion for judging proper slope for drainage is that there be no ponding water on the roof 48 hours after a rain during conditions conducive to drying...

Building codes typically require a minimum slope of ¼ inch per foot. IBC 2003, 2006 and 2009 all require a minimum slope of ¼ inch per foot for new construction. Re-roofing is exempt from this requirement provided the roof has positive drainage (see definition above). So a minimum slope of 1/8 inch per foot cannot be justified for a single-ply system unless there is positive drainage. Same would apply to a modified bitumen system.

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Regards,

Maciek Rupar  
Technical Services Director  
National Roofing Contractors Association

**I appreciate all of your time and consideration, and if needed to appear in person, both myself and Mr. Hubbell can facilitate any Forum Requested.**

Thank you,



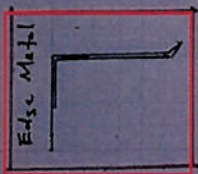
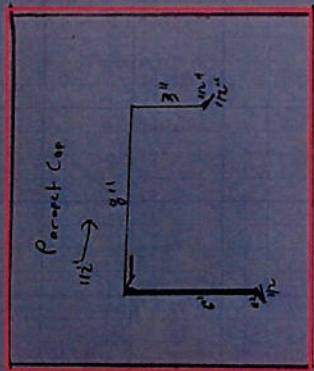
Carl Jackson

[ccjackson@msn.com](mailto:ccjackson@msn.com)

713 823 5029



44 = .5" x 1.0"  
A = 1" x 1.5"  
B = 1.5" x 2.0"  
C = 2.0" x 2.5"



lights: 2" x 23.5") Outside of Frame

4" x 22") Outside of Frame  
son Prefers: Opaque and  
er is the most Efficient

provide Quotes. Thanks

It is a Requirement that any work to Take Place must be Permitted in  
advance: Codes Met / Exceeded: 2012IECC, 2012IBC, 2012IRC

Tapered at a 1/4" per 1' as Per:  
IBC Ch. 15 & IRC Ch. 9

Tapered ISO 1/2" to 4"

Tapered ISO 4" to .5"

Each Box = 4' x 4'



ARKET PLACE DRIVE  
RAIRIE, MN 55344  
(952) 281-7079

COVERED BY THIS SEAL:  
202, 0003, A100, A101, A110,  
13, A114, A115, A120, A121,  
140, A150, A151, A159, A161,  
163, A170, A171



G. BLEES, ARCHITECT

05-06-14

SUED

18939

GANDER MTN  
NEW CONSTRUCTION  
HOUSTON, TX

Bellaire, TX 77401

on / ccjackson@msn.com

Sierra Tan Kynar 500 Metal / 2"

CONSTRUCTION

Roof Assembly:

135 Fleeceback TPO installed Fully Adhered to 1/2" HD ISO (100 PSI) over specified  
20 PSI ISO Fill Boards. All ISO to be attached with 3" Plates with HPX / #15 Screws  
as per Manufacturer's Specifications.

0 = 2" East from Vent / Plumb

TITLE:

OR ELEVATIONS

1.5" to 4" Plumbing Stack

8" x 0/12 Star Capped Vent / F