



**CITY OF BELLAIRE TEXAS**  
**BUILDING AND STANDARDS COMMISSION**  
**JULY 23, 2014**

**Council Chamber**

**Regular Session**

**7:00 PM**

**7008 S. RICE AVENUE  
BELLAIRE, TX 77401**

**I. REGULAR SESSION**

**A. Call to Order**

Chairman Schuster called the meeting to order at 7:02 PM.

**B. Announcement of Quorum**

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

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

**C. Rules for Public Comment**

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

- 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

<b>RESULT:</b>	<b>APPROVED [5 TO 0]</b>
<b>MOVER:</b>	Mike Baker, Commissioner
<b>SECONDER:</b>	Danny Spencer, Commissioner
<b>AYES:</b>	Schuster, Thurmond, Katz, Baker, Spencer
<b>ABSTAIN:</b>	Martin
<b>ABSENT:</b>	Yemitan

#### **E. Public Comment**

There were no public comments.

#### **F. Unfinished Business, Communications, and Reports**

Chairman Schuster commended the Commissioners for their participation at the Council meeting with regards to water vapor control in crawlspaces. She and Commissioner Spencer mentioned that there were some questions thrown out by the Council members that were never answered, and encouraged the incoming Chair to reach out to Council in order to address those issues prior to Council's consideration of the item.

Commissioner Baker pointed out that the change in the building code was one of the driving factors behind the proposal, and asked if that was something that should have been addressed to a greater extent.

Chairman Schuster stated that it was put in the report, but that the Commission does have options to communicate it better if they wish to do so.

#### **G. Swearing in of new Commissioners**

City Clerk, Tracy Dutton swore in the new member of the Commission, Charles Formica, as well as Danny Spencer and Paul Katz who were being re-appointed.

#### **H. Incoming Commission**

##### **i. Introduction of Incoming Commissioners**

##### **ii. Election of Chair and Vice Chair**

**Nominations:** Commissioner Katz nominated Laura Thurmond as the Chairman and Danny Spencer as the Vice Chairman of the Building and Standards Commission.

The nominations were seconded by Commissioner Baker.

**Vote:** 6-0.

### **iii. Adoption of the Rules of Procedure**

**Motion:** a motion was made by Commissioner Martin and seconded by Vice Chairman Spencer to adopt the Rules of Procedure.

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

## **I. Report from the Building Official**

Mr. Cabello thanked Commissioners Schuster and Yemitan for their service on the Commission.

## **J. Reports of Committees and Communications**

### **i. Communications to Commission members outside of posted meetings**

There were no communications to report.

## **K. Old Business**

There was no 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.

Mr. Cabello explained to the Commission that he had been in contact with Mr. Carl Jackson, owner of the property at 6312 Meredith, who had informed him that he was in need of a new roof. He indicated that he would like to remove everything in existence now and replace it with a new roofing system. Mr. Cabello noted that where the existing roof is approximately 10 inches to the top of the separation wall, the new system, which will create a slope and more adequate drainage, would reduce the distance from the top of the roof to the top of the fire wall to 8 inches. He pointed out that the roof is already encroaching on the code, as it currently calls for 18 inches. Mr. Cabello added that Mr. Jackson is proposing a Class A roof system which provides protection from heat or fire from the top, not the bottom. He also mentioned that he had suggested to Mr. Jackson that the installation of a fire-resistant plywood decking might protect fire spread from his structure to the neighbors, and had asked the Fire Marshal, Alton Moses, to speak to this recommendation.

### **Presentation by the Applicant**

**Mr. Carl Jackson, 6312 Meredith-**Mr. Jackson informed the Commission that he lives in a two-story townhouse that was built in 1968, and is attached to other town homes. He added that he currently has a modified bitumen roof that is approximately 25 years old and has reached its longevity. Mr. Jackson stated that structural failures have caused considerable damage to the roof decking and

internal sheetrock, and it is in need of replacing. He indicated that a flat roof with a modified bitumen traps a lot of solar energy, causing the roof to reach temperatures of 120 degrees during the day, and that he is attempting to strip it all out and replace it with a thermoplastic polyolefin (TPO), single ply roof system. Mr. Jackson explained that TPO is a heat-applied material that is capable of withstanding a category 3 hurricane, and is supported and approved by the Department of Energy. He reiterated that the existing roof was already encroaching upon the existing codes, which require the wall to extend 18 inches above the roof, and was told that he would need to come before the Commission for a variance in order to install the new roofing system.

Commissioner Katz asked Mr. Jackson what the fire rating of the material is.

Mr. Bill Hubbell of Anchor Roofing, Inc stated that it is a UL Class A, which is the highest rating available.

Chairman Thurmond asked what type of flame spread that equates to.

Mr. Hubbell explained that there will be a weather protecting layer at the bottom, a scrim in the middle, and a white reflective covering at the top, which makes up a membrane. He then added that the local building code, IRC Chapter 9, subsection 2.01-2.022 states that any residential roof must have a 2 1/2 degree slope minimum. Mr. Hubbell stated that in order to do that, he is proposing the use of UL Class A rated tapered panels, but that no permit can be issued due to a conflict between Fire Code Ordinance No. 1970, 1(c), 10-08-73; Ordinance No. 85-043, 13, 07-01-85, and either IBC Chapter 15 (Roof assemblies), or as per Mr. Cabello's interpretation the IRC Chapter 9 Roof Assemblies, both which require the same 1/4" per 1' to promote positive drainage. Mr. Hubbell mentioned that the 18 inch requirement that is present in the City of Bellaire's ordinance is typically, in most cities, reserved for public facilities.

Vice Chairman Spencer asked what the typical height for a multi-family residential structure is within the City of Houston.

Mr. Hubbell explained that most multi-family that has a low sloped roof is either not going to have a parapet, or if it does, it will not be made out of brick and mortar.

Mr. Cabello explained that the reasoning behind the requirement of 18 inch masonry walls were the many instances where fire has spread from one unit to another. He added that he is not sure what Houston requires at this time. Mr. Cabello mentioned that normally multi-unit developments would fall under the IBC, however, these units are old, existing buildings that fell under the IRC when they were constructed, and at that time the Commission elected to require fire walls. He asked Mr. Hubbell to focus more on what they are proposing and how it differs from what the ordinance says.

Mr. Hubbell stated that the specific request is for the allowance of a 3 inch increase from what the current assembly is, and instead of having a UL Class B assembly it would now be UL Class A.

Chairman Thurmond asked what the construction of the current parapet is.

Mr. Hubbell explained that it is solid masonry.

Chairman Thurmond asked how many other units are in the complex and how they have dealt with the situation.

Mr. Jackson stated that there are 70 other units within the whole complex, but only 10 attached to his unit. He added that he would rather not say how others have dealt with it because he doesn't know for sure.

Mr. Hubbell informed the Commission that the other residents within the complex are encroaching on the code and are not pulling permits.

Commissioner Baker asked if the other roofs that have been replaced in the neighborhood are the modified bitumen or the TPO.

Mr. Jackson stated that there are both.

Chairman Thurmond asked what fire resistance rating the proposed assembly would have.

Mr. Hubbell informed her that it would be a two hour rating between the bottom and the type.

**Alton Moses, Fire Marshal**-Chief Moses confirmed that the applicant is proposing a good assembly, but clarified that the fire rating for it is exterior only. He added that the addition of fire-rated plywood would address his concern of fire spreading to another unit.

Mr. Jackson mentioned that after 5-7 years fire-rated lumber loses the chemicals that it is treated with, and asked if he could use DensDeck instead to satisfy that requirement.

Chief Moses confirmed that DensDeck would be sufficient.

Vice Chairman Spencer pointed out that the results of this application are going to set a precedence for how other residents within the complex handle the situation. He asked if there was a reason that the (concrete masonry unit) CMU could not be extended.

Mr. Jackson explained that because he is connected to the adjacent units, structural engineers would have to come out and start building up concrete blocks. He added that the plans for these town homes are now non-existent.

Mr. Hubbell mentioned that the code states "non load-bearing" and adding grate to the masonry wall would cause it to be load-bearing.

Vice Chairman Spencer pointed out that there is an 8 foot 8 inch CMU wall, and that adding a course to it would not cause it to be load-bearing.

Mr. Jackson informed the Commission that he asked one neighbor if she would be ok with that and she stated that she did not want the wall to be extended.

Commissioner Katz asked Chief Moses if it would make any difference on the fire protection if the parapet was 10 or 18 inches, using the proposed roof assembly.

Chief Moses stated that the height would not make a difference.

Commissioner Katz noted that it really makes no difference then as to the height of the parapet given the Class A rating on both sides of the roof.

Commissioner Katz asked Chief Moses if he saw any advantage in having a higher parapet.

Chief Moses did not see any advantage.

**Motion:** A motion was made by Commissioner Katz and seconded by Vice Chairman Spencer to approve the variance under the conditions that the roof assembly is built in accordance to what the Fire Marshal has requested.

Commissioner Formica wanted to ensure that the sub base is how the Fire Marshal suggested.

Chief Moses informed the Commission that along with Mr. Cabello he also reviews all plans that come through the city.

Vice Chairman Spencer asked if those plans would be on file, making this an acceptable variance from now on.

Chief Moses confirmed this.

**Amended Motion:** an amended motion was made by Chairman Thurmond and seconded by Vice Chairman Spencer to approve the variance with the presented TPO assembly given that the existing roof deck is removed and replaced with a decking substrate that meets fire resistant criteria with specification sheets to be submitted and reviewed by the Building Official.

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

Commissioner Katz felt that the Commission should revisit the roofing codes in light of the new building materials that are now available.

Vice Chairman Spencer asked if there were many outdated structures within the city.

Chief Moses added that there is a complex on Innsbruck that is done that way, he also mentioned that there is a new project going in on Larch Lane and he is not sure how those will be done.

Mr. Cabello informed Chief Moses that the development on Larch Lane will have fire sprinklers.

Chief Moses explained that sprinkled developments are exempt.

Chairman Thurmond mentioned that Chief Moses will be in attendance at the Commission's August meeting to present his proposed changes to the fire sprinkler requirements.

**M. Announcements and Comments by Commissioners**

Chairman Thurmond thanked the Commission for electing her Chairman and stated that she looked forward to having Vice Chairman Spencer as her "wing man." She then commended former Chair Kristin Schuster on the outstanding job she did in leading the Commission, and mentioned that she hopes the Commission will be able to follow through on the projects that she started.

**N. Adjournment**

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

**Vote:** 6-0.

**The meeting was adjourned at 7:55 PM.**