

1 **BUILDING CODE BOARD OF APPEALS MEETING**

2 April 25, 2017, 2:02 p.m.

3 Hardy Cash Conference Room, 3rd floor, City Hall

4 22 Lincoln Street, Hampton, Virginia

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6 **Members Present:** *Vice-Chairman Alan Bourne, Patricia Quigley, Michael Jackson, and Frank Feagan*

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9 **Members Absent:** *Chairman Larry Nisley and Sherman Crawley*

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11 **Attendees:** *Assistant City Attorney Jennifer Damelio, Senior Assistant City Attorney Brandi Law, Building Official Steven Shapiro, Recording Secretary Dorinda Weeks, Back-up Recording Secretary Kristie Graves, and Realtor Rick Brandt.*

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15 **Meeting Purpose:** *To Hear Case #BCBA17-00001 Concerning the Property Located at 23 Stonewall Terrace, I. Lazarus Lawrence ET UX (Carole Lazarus has Power of Attorney).*

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19 **Acting Chairman Bourne** asked for individual introductions and for Building Official Shapiro to brief the Board on the City's position concerning the subject appeal.

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22 **Building Official Shapiro** explained the City received an appeal for property address 23 Stonewall Terrace from I. Lawrence Lazarus, submitted by his sister, Carole Lazarus who has Power of Attorney due to Mr. Lazarus' medical condition. The house was declared to be Unsafe and Unfit for Human Occupancy on February 8, 2017. There are property maintenance violations (roof repairs, broken windows, peeling paint, fascia and soffit repairs) and Mr. Lazarus is unable to make repairs to the structure. To receive medical benefits, Medicaid requires the home to be sold at assessed value; Ms. Lazarus will be selling the house to use the funds for Mr. Lazarus' medical expenses.

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30 **Real Estate Agent Rick Brandt (attending for Ms. Lazarus)** communicated he has spoken to Ms. Lazarus over the phone. According to Medicaid the home has to be sold for City assessed value in order for Mr. Lazarus to possibly continue medical benefits. Since Mr. Brandt has not been given approved access to the house until now, he is hoping the house can be revived instead of being torn down. Mr. Brandt is asking for time to have an investor come in to fix it up, to get an appraisal, or to have the assessment reduced to market value.

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36 **Acting Chairman Bourne** asked how easy the process would be to get an appraisal and to get the assessed value of the property lowered.

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39 **Ms. Law** mentioned if an appraisal was presented, the Assessor would normally consider that in determining if the assessed value should be lowered, and now would be a good time to have it administratively changed.

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42 **Acting Chairman Bourne** asked if 30 days is enough time to complete this process.

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44 **Mr. Shapiro** wanted to know if the 30 days is to sell the house or get the work done.

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Mr. Brandt mentioned that in the 30-day timeframe he would like to get an appraiser and work with Medicaid.

Mr. Shapiro shared concerned about when the work is going to get done, since selling the property still leaves the same issue; he suggested getting the work started.

Mr. Brandt mentioned since the owner does not have the money, the work will not be done until the property is sold.

Acting Chairman Bourne asked Mr. Shapiro if (the house) was properly permitted and under construction, would it start the clock over.

Mr. Shapiro agreed that it would "start the clock over" as long as the process has started and they are proceeding.

Board Member Jackson asked if 60 days would be enough time to guarantee to have the work started.

Mr. Brandt says he will not be able to guarantee the work being started.

Mr. Shapiro suggested continuing the appeal hearing for 60 days or 90 days for a status check before the Board to see if there have been any changes.

Acting Chairman Bourne asked for a motion.

Board Member Jackson made a motion to defer action for 60 days.

Board Member Quigley seconded the motion.

A vote by show of hand on the motion resulted as follows:

AYES:	Bourne, Jackson, Quigley, Feagan
NAYS:	None
ABSTAIN:	None
ABSENT:	Nisley, Crawley

The continuance Building Code Board of Appeals hearing is scheduled for June 27, 2017 at 2:00 p.m.

There being no additional business to come before the Board, the hearing was adjourned at 2:20 p.m.


Alan Bourne, Acting Chairman