

City and Borough of Juneau
Building Code Board of Appeals

Minutes

Friday, June 26, 2015 – 1 pm
City Hall Conference Room 224

I. Call to Order

In absence of a chair, Mr. Orman called the meeting to order at 1:30 p.m.

II. Roll Call / Introductions

Board Members Present: Brad Austin, Randy Walling, Daryl Weatherall, Jeff Wilson.

Board Members Absent: Todd Kollar, Mike Story.

Others Present: Chris Orman, Attorney for the BCBA; Amy Mead, Municipal Attorney; Charlie Ford, Building Official; Robert Palmer, CBJ Attorney for Community Development Department; Laurie Sica, Municipal Clerk; Jeremy Hsieh, KTOO Reporter.

Jeff Wilson volunteered to serve as Chair, Randy Walling volunteered to serve as Vice Chair.

Mr. Orman noted that the Clerk had contact with Mr. James Barrett prior to the meeting and he stated he was unable to attend the meeting.

III. Statement of Appeal filed June 19, 2015 by James M. Barrett re: Demolition Order – Gastineau Apartments, LLC, 127 S. Franklin St.

Mr. Orman outlined that the CBJ Code 19.02.010.3 provided that an appeal shall be based on a claim that:

- a. The true intent of the building codes or rules have been incorrectly interpreted;

- b. The provisions of the Building Regulations Code (CBJ19) do not fully apply; or
- c. There is an equally good or better form of construction (or repair) proposed.

Mr. Orman said that the Board needed to determine whether it had jurisdiction regarding the contents of the appeal, if the Board would be able to provide the remedy sought by the appellant, and either accept or reject the appeal.

Mr. Wilson said that Mr. Barrett's statement of appeal focused on the CBJ stating a low appraisal value for the building, but that it had no reference to the building code. He asked Mr. Orman to summarize the contents of the Statement of Appeal.

Mr. Orman said that it did indicate concern about a low appraisal value, and perhaps a request for information about the low appraisal, and the requested relief was regarding the appraisal and sought a continuance about the appraisal. These seemed to be the primary points to the appeal.

Mr. Walling said he believed the building was a hazard and needed to come down.

Mr. Weatherall said he had a hard time to believe the building was worth \$50,000. Perhaps the owner felt the property would be seized if the demolition cost more than \$50,000.

Mr. Wilson said that was a good issue, but did not tie in to the building code.

Mr. Austin said it appears Mr. Barrett had appealed to the wrong group.

Mr. Wilson said the BCBA was the first stop to determine if the building official erred in his judgement. The other issues would need to be addressed in court.

Mr. Weatherall said the building issues needed to be addressed soon.

Mr. Orman asked the board if the content of the Barrett's appeal contained in his statement could be addressed or remedied by the board.

Mr. Walling said there was nothing in the appeal that addressed the demolition order.

Mr. Austin said the only reference was the first sentence that Mr. Barrett was appealing.

Mr. Wilson referred to the three questions before the board, and said he thought the matters cited in the Statement of Appeal outside of the board's jurisdiction. We are here to say whether his statement addressed an issue to which the board could provide relief.

MOTION, by Austin, to reject the Barrett's appeal. Seconded by Walling. Roll call vote was unanimous in favor of rejecting the appeal.

Mr. Orman said he would draft a written rejection of the appeal for Chair Wilson to sign.

IV. Board Comments – Questions

None.

V. Adjournment: 1:55 p.m.

Submitted by Laurie Sica, Municipal Clerk