

BUILDING BOARD OF APPEALS
MINUTES
JUNE 6, 2011

The meeting was called to order by Chairman James Ryan at 7:41 p.m. Board Members Thomas Bredfeldt, Michaelene Burke Hoeh and James McGinley were present. Board Members Pete Campbell, John Lustrup and Mike Morange were excused. Also present were Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Board Member Bredfeldt moved to approve the minutes of the February 7, 2011 Building Board of Appeals meeting. Board Member Burke Hoeh, asked that the phrase “from a legal standpoint” be removed from a statement she made in the minutes and changed to “at the discretion of.” Board Member Bredfeldt amended the motion accordingly and Board Member Burke Hoeh seconded the motion. The minutes were approved by four (4) “yes” votes and zero (0) “no” votes as follows: Board Members Bredfeldt, Burke Hoeh, McGinley and Chairman Ryan voted yes.

Board Member Bredfeldt moved to approve the minutes of the April 4, 2011 Building Board of Appeals meeting, and Board Member Burke Hoeh seconded the motion. The minutes were approved by four (4) “yes” votes and zero (0) “no” votes as follows: Board Members Bredfeldt, Burke Hoeh, McGinley and Chairman Ryan voted yes.

Building and Zoning Official Joe Kvapil reviewed proposed changes to Ordinance 5919-VC Amending Village Code Section 2-7-4 BBA Membership/Quorum. Chairman Ryan offered to advise the Village Board of Mr. Kvapil’s graphic regarding eligible members, quorum and majority voters, however, Mr. Kvapil stated he could forward the information to the Village Board for their review.

Mr. Kvapil reviewed a Summary of Landmark Properties Designation. Mr. Kvapil verified for Chairman Ryan that no action is required on this subject.

Mr. Kvapil stated that a question had arisen regarding demolition work occurring without first obtaining a demolition permit. He stated that Wheaton charges large fines to builders who do demolition work without getting a demolition permit, and Glen Ellyn has a fine for working without a permit that can be as high as \$1,000 by doubling the cost of the permit fee. Mr. Kvapil stated that not obtaining a demolition permit is a very rare occurrence, and he recommended keeping the status quo regarding this topic. The BBA members were in favor of Mr. Kvapil’s recommendation.

Mr. Kvapil stated that the proposed amendment to Village Code Section 4-1-5(B) for Property Debts is in the general section of the Building Code and applies to all construction/building codes. Mr. Kvapil stated he has inserted language from the Wheaton Code into this section that prohibits issuing a building permit to a person who is indebted to the city or to a property that has any outstanding debts. Mr. Kvapil added that Village Attorney Diamond stated that a conservative community would not adopt

such language. Mr. Kvapil suggested breaking this item into two sections—415B and 415C. 415B states that no building permit(s) would be issued until all debts related to the Village regarding that property have been paid (if incurred by the current owner). Mr. Kvapil recommended eliminating Section 415C regarding debts of prior owners. The BBA members agreed with Mr. Kvapil's recommendations.

2009 ICC INTERNATIONAL BUILDING CODE. CONTINUED DISCUSSION, CONSIDERATION AND RECOMMENDATIONS REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL BUILDING CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Building and Zoning Official Joe Kvapil stated that the only change to the 2009 ICC International Building Code is to delete Section 415(B)4 regarding debts of prior owners. Mr. Kvapil responded to Board Member Bredfeldt that if a person owes the Village money, the Village can put a lien on the property.

Motion

Board Member McGinley moved, seconded by Board Member Bredfeldt, to approve the 2009 ICC International Building Code as amended with four (4) "yes" votes and zero (0) "no" votes as follows: Board Members McGinley, Bredfeldt, Burke Hoeh and Chairman Ryan voted yes.

2009 ICC INTERNATIONAL RESIDENTIAL CODE. CONTINUED DISCUSSION, CONSIDERATION AND RECOMMENDATIONS REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL RESIDENTIAL CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Mr. Kvapil referred to the draft Exhibit A of the 2009 ICC International Residential Code and stated that there are no changes proposed from that document that were discussed at the April 8, 2011 BBA meeting.

Board Member Burke Hoeh moved, seconded by Board Member McGinley, to approve the 2009 ICC International Residential Code as amended at the April 8, 2011 BBA meeting with four (4) "yes" votes and zero (0) "no" votes as follows: Board Members Burke Hoeh, McGinley, Bredfeldt and Chairman Ryan voted yes.

Staff Report

Mr. Kvapil distributed a draft ordinance amending Chapter 1 of Title 4 (Building Regulations) of the Village Code of the Village of Glen Ellyn, Illinois Adopting the 2009 International Energy Conservation Code with Local Amendments for discussion at a

future meeting. Due to absences by BBA members on regularly scheduled meeting dates, subsequent meetings have been scheduled for July 11, 2011 and August 8, 2011.

Mr. Kvapil stated that packets of information regarding proposed amendments to the International Building Code and International Residential Code packets will be forwarded to local builders for their review. Mr. Kvapil added that the builders will be invited to the next BBA meeting or a special meeting for the builders could be held. Mr. Kvapil responded to Chairman Ryan that input from the builders will be received before recommendations are forwarded to the Village Board.

There being no further business before the BBA, the meeting was adjourned at 8:21 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvapil
Building and Zoning Official