

AGENDA

STATE BUILDING CODE TECHNICAL REVIEW BOARD

Friday, June 12, 2026 - 10:00am

Virginia Housing Center  
4224 Cox Road Glen Allen, Virginia 23260

- I. Roll Call **(TAB 1)**
- II. Approval of April 17, 2026 Minutes **(TAB 2)**
- III. Approval of Interpretation 02/2026 **(TAB 3)**
  - In Re: Daniel (Phil) Winslow (City of Norfolk)  
Interpretation Request No 01-26
- IV. Public Comment
- V. Preliminary Hearing **(TAB 4)**
  - In Re: Cory Kruse  
Appeal No. 26-01
- VI. Appeal Hearing **(TAB 5)**
  - In Re: William Laffoon  
Appeal No. 26-02
- VII. Interpretation Request No. 06-26 **(TAB 6)**
  - In Re: Raymond (Wally) Rinaldi (Loudoun County)  
  
*2021 VCC 102.1.*  
  
**Question 1:** Is a tower or mobile crane temporarily erected for the purpose of constructing a building considered a structure under the USBC?  
  
**Question 2:** Is a tower or mobile crane temporarily erected for the purpose of constructing a building regulated by the USBC?
- VIII. Interpretation Request No. 07-26 **(TAB 7)**
  - In Re: Michael Long (Chris Sampl) (Fairfax County)  
  
*2021 VCC 903.3.1.1 and 2019 NFPA 13 9.2.1.7; 9.2.1.7.1; 16.4.1.5; and 19.3.3.1.5.2*  
  
**Question 1:** During the fire sprinkler plan review, does the AHJ have authority to request heat loss calculations

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from the RDP when there is concern that the concealed space may have temperatures that drop below 40°F per 13:16.4.1.5?

**Question 2:** Since the space is provided with the minimum required insulation, will the building heat prevent the wet pipe located in the concealed space from being exposed to temperatures less than 40°F?

**Question 3:** If Question 2 is yes:

(a) Is a heated space maintained at 60°F sufficient heat during the cold months to prevent the pipe from freezing in the concealed space?

(b) Is a heated space maintained at 50°F sufficient heat during the cold months to prevent the pipe from freezing in the concealed space?

(c) Is a heated space maintained at 40°F sufficient heat during the cold months to prevent the pipe from freezing in the concealed space?

**Question 4:** Since the space is provided with the minimum required insulation, should the AHJ be concerned with the pipe being exposed to temperatures less than 40°F?

**Question 5:** By filling a concealed space with insulation and providing insulation between the pipe and heated space, should the AHJ be concerned with the pipe being exposed to temperatures less than 40°F?

**Question 6:** Does the building's heat provided below the ceiling provide adequate heat to prevent the pipe from being exposed to temperatures less than 40°F?

**Question 7:** Using the tent method, does the air channel(s) created between the pipe and heated space below comply with NFPA 13:9.2.1.7?

**Question 8:** Using the tent method, does the air channel(s) created between the pipe and heated space below considered to be "filled entirely with noncombustible insulation" for the application of NFPA 13:19.3.3.1.5.2 (3)?

#### IX. Secretary's Report

- a. Review Board Policy #30 (Annual readoption in accordance with §2.2-3708.3) **(TAB 8)**
- b. Review Board Policy #31 (Annual readoption in accordance with §2.2-3708.3) **(TAB 9)**
- c. July 17, 2026 meeting update
- d. Legal updates from Board Counsel

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STATE BUILDING CODE TECHNICAL REVIEW BOARD

**James R. Dawson, Chair**

(Virginia Fire Chiefs Association)

**W. Shaun Pharr, Esq., Vice-Chair**

(The Apartment and Office Building Association of Metropolitan Washington)

**Vince Butler**

(Virginia Home Builders Association)

**J. Daniel Crigler**

(Virginia Association of Plumbing-Heating-Cooling Contractors and the Virginia Chapters of the Air Conditioning Contractors of America)

**Christina Jackson**

(Commonwealth at large)

**Joseph A. Kessler, III**

(Associated General Contractors)

**R. Jonah Margarella, AIA, NCARB, LEED AP**

(American Institute of Architects Virginia)

**Eric Mays**

(Virginia Building and Code Officials Association)

**Joanne D. Monday**

(Virginia Building Owners and Managers Association)

**James S. Moss**

(Virginia Building and Code Officials Association)

**Elizabeth C. White**

(Commonwealth at large)

**Aaron Zdinak, PE**

(Virginia Society of Professional Engineers)

**Vacant**

(Virginia Association of Plumbing-Heating-Cooling Contractors and the Virginia Chapters of the Air Conditioning Contractors of America)

**Vacant**

(Electrical Contractor)

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1                                   **STATE BUILDING CODE TECHNICAL REVIEW BOARD**  
2   **MEETING MINUTES**  
3   **April 17, 2026**  
4   **Virginia Housing Center**  
5   **4224 Cox Road Glen Allen, Virginia 23060**  
6

Members Present

Mr. James R. Dawson, Chair  
Mr. Daniel Crigler  
Mr. Joseph Kessler  
Mr. R. Jonah Margarella  
Mr. Eric Mays, PE  
Mr. James S. Moss  
Mr. W. Shaun Pharr, Esq., Vice-Chair (arrived  
after approval of the February 19, 2026 minutes)  
Mr. Aaron Zdinak, PE

Members Absent

Mr. Vince Butler  
Ms. Christina Jackson  
Ms. Joanne Monday  
Ms. Elizabeth White

7  
8 Call to Order                                   The meeting of the State Building Code Technical Review Board  
9   ("Review Board") was called to order at approximately 10:00 a.m. by  
10 Chair Dawson.

11  
12 Roll Call                                       The roll was called by Mr. Luter and a quorum was present. Mr. Justin  
13 I. Bell, legal counsel for the Review Board from the Attorney General's  
14 Office, was also present, arriving during the discussion of Request for  
15 Interpretation 02-26.

16  
17 Approval of Minutes                       The draft minutes of the February 19, 2026 meeting in the Review  
18 Board members' agenda package were considered. Mr. Mays moved to  
19 approve the minutes as presented. The motion was seconded by Mr.  
20 Moss and passed unanimously.

21  
22 Interpretation                               Approval of Interpretation 01/2026:

23  
24   After review and consideration of Interpretation 01/2026, presented in  
25 the Review Board members' agenda package, Mr. Pharr moved to  
26 approve Interpretation 01/2026 with an editorial change adding "*and*  
27 *complies with the Virginia Construction Code definition for farm*  
28 *building or structure*" at the ending of the answer. The motion was  
29 seconded by Mr. Mays and passed unanimously.

30  
31   After review and consideration of a letter from the Review Board Chair  
32 to the BHCD Chair, presented in the Review Board members' agenda  
33 package, Mr. Pharr moved to approve the letter as presented. He  
34 further moved to direct the Review Board Secretary to add all historical  
35 documents of the Review Board related to farm buildings or structures

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36 as attachments to the letter to the BHCD Chair. The motion was  
37 seconded by Mr. Mays and passed unanimously.

38  
39 Public Comment Chair Dawson opened the meeting for public comment. Mr. Luter  
40 advised that no one had signed up to speak; however, Kenney Payne  
41 was present and expressed interest in speaking. Mr. Payne came  
42 forward to speak. Chair Dawson closed the public comment period.

43  
44 New Business Request for Interpretation of Daniel (Phil) Winslow (City of Norfolk):  
45 Interpretation Request No. 01-26:

46  
47 An interpretation request from Phil Winslow of the City of Norfolk was  
48 considered concerning the following:

49  
50 Question:  
51 How many custodial care recipients in assisted living facilities are  
52 allowed to reside in a single family detached dwelling Use Group R5  
53 non-sprinklered, where all care recipients are capable of self-  
54 preservation and responding to an emergency situation, with 24-hour  
55 live-in supervision/care provider regulated by Virginia Department of  
56 Social Services?

57  
58 Mr. Mays moved that the answer is “Eight (8)”. The motion was  
59 seconded by Mr. Margarella and passed unanimously.

60  
61 Request for Interpretation of Corian Carney (York County):  
62 Interpretation Request No. 02-26 and 05-26:

63  
64 Two interpretation requests from Corian Carney of York County were  
65 considered concerning the following:

66  
67 Question #1:  
68 Mr. Mays moved to combine Question 1 of Interpretation Request No.  
69 02-26 and Question #1 of Interpretation Request No. 05-26 to read as  
70 follows:

71  
72 Is the replacement of moisture or rodent damaged insulation  
73 considered a repair in accordance with VEBC 501.1 or  
74 considered an alteration in accordance with VEBC 601.2.1?

75  
76 The motion was second by Mr. Pharr and passed unanimously.

77  
78 Mr. Mays moved that the answer is “Because the insulation is damaged  
79 it is considered a repair in accordance with VEBC 501.1”. The motion  
80 was seconded by Mr. Kessler and passed unanimously.

81  
82 Question #2:

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83 Would removal without replacement of moisture or rodent damaged  
84 insulation be considered abatement of wear due to normal service  
85 conditions in accordance with VEBC 501.1 and therefore be exempt  
86 from Chapter 5 requirements?  
87

88 Mr. Mays moved that the answer is “No, because moisture and rodent  
89 damage is not normal”. The motion was seconded by Mr. Moss and  
90 passed unanimously.  
91

92 Question #3:  
93 Would permanent air sealing of the required foundation crawlspace  
94 venting be considered an alteration in accordance with VEBC 601.2.1?  
95

96 Mr. Mays moved that the answer is “No, because the air sealing of the  
97 required foundation crawlspace venting would be considered an  
98 alteration in accordance with VEBC 601.2.2”. The motion was  
99 seconded by Mr. Moss and passed unanimously.  
100

101 Request for Interpretation of Corian Carney (York County):  
102 Interpretation Request No. 03-26:  
103

104 An interpretation request from Corian Carney of York County was  
105 considered concerning the following:  
106

107 Question #1:  
108 Would installation of a new vapor barrier in an underfloor space be  
109 considered an alteration in accordance with VEBC 601.2.2?  
110

111 Mr. Mays moved that the answer is “Yes”. The motion was seconded  
112 by Mr. Moss and passed unanimously.  
113

114 Question #2:  
115 Would installation of new dehumidification equipment in an underfloor  
116 space be considered an alteration in accordance with VEBC 601.2.2?  
117

118 Mr. Mays moved that the answer is “Yes”. The motion was seconded  
119 by Mr. Moss and passed unanimously.  
120

121 Request for Interpretation of Corian Carney (York County):  
122 Interpretation Request No. 04-26:  
123

124 An interpretation request from Corian Carney of York County was  
125 considered concerning the following:  
126

127 Question #1:  
128 Would replacement or removal of floor or ceiling insulation require  
129 application for permit in accordance with VCC 108.1?

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130 Mr. Moss moved to set aside the question and not provide an answer to  
131 the question. The motion was seconded by Mr. Mays and passed  
132 unanimously.

133  
134 Question #2:  
135 Would alterations to existing underfloor spaces such as sealing of vents  
136 and application of vapor retardant materials require application for  
137 permit in accordance with VCC 108.1?  
138

139 Mr. Mays moved that the answer is “Yes, because you are changing the  
140 original ventilation system for the crawlspace”. The motion was  
141 seconded by Mr. Zdinak and passed unanimously.  
142

143 Secretary’s Report Mr. Luter informed the Review Board of the current caseload and that  
144 there would be no meeting on May 15, 2026 and the next scheduled  
145 meeting was June 12, 2026.  
146

147 Mr. Bell provided legal updates to the Review Board members.  
148

149 Adjournment There being no further business, the meeting was adjourned by proper  
150 motion at approximately 1:30 p.m.  
151

152  
153 Approved: June 12, 2026  
154

155  
156 \_\_\_\_\_  
157 Chair, State Building Code Technical Review Board  
158

159  
160 \_\_\_\_\_  
161 Secretary, State Building Code Technical Review Board

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VIRGINIA STATE BUILDING CODE TECHNICAL REVIEW BOARD

I N T E R P R E T A T I O N

**Interpretation Number:** 2/2026

**Code:** USBC, Part I, Virginia Construction Code/2021

**Section No:** Section 313.2.6

**313.2.6 Groups R-2, R-3, and R-5.**

Facilities with no more than eight persons receiving care, with one or more resident counselors, and all persons are capable of responding to an emergency situation without physical assistance from staff, may be classified as Group R-2, R-3, or R-5. Up to five of the persons may require physical assistance from staff to respond to an emergency situation when in compliance with the following:

1. All residents that require physical assistance from staff reside on a level of exit discharge and the path of egress to the exit does not include steps.
2. The building is protected by an automatic sprinkler system installed in accordance with Section 903.3 of this code or Section P2904 of the IRC.

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**QUESTION #1:** How many custodial care recipients in assisted living facilities are allowed to reside in a single family detached dwelling Use Group R5 non-sprinklered, where all care recipients are capable of self-preservation and responding to an emergency situation, with 24-hour live-in supervision/care provider regulated by Virginia Department of Social Services?

**ANSWER:** Eight (8).

This Official Interpretation was issued by the State Building Code Technical Review Board at its meeting of April 17, 2026.

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Chair, State Building Code Technical Review Board

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VIRGINIA:

BEFORE THE  
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Cory Kruse  
Appeal No. 26-01

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VIRGINIA:

BEFORE THE  
STATE BUILDING CODE TECHNICAL REVIEW BOARD  
[Preliminary Hearing for Timeliness]

IN RE: Appeal of Cory Kruse  
Appeal No. 26-01

REVIEW BOARD STAFF DOCUMENT

Suggested Statement of Case History and Pertinent Facts

1. On July 15, 2025, the City of Martinsville Fire and EMS Inspections (Fire/EMS) posted a CONDEMNED placard on the structure located at 722 Oneida Street, in the City of Martinsville.

2. According to the City of Martinsville Department of Community Development (City), the agency responsible for the enforcement of Part III of the 2021 Virginia Uniform Statewide Building Code (VUSBC or VMC), the City issued a Notice of Unsafe Structure (Notice) on July 15, 2025 to Richard Dale Hankins and Lottie H. Weatherman (Owners) for the structure located at 722 Oneida Street, in the City of Martinsville, citing the following:

- a) *“PM-106 – Unsafe and unfit structure, extensive damage due to neglect.*
- b) *PM-402.1 – Occupied without proper utilities, lacks proper lighting*
- c) *PM-403.1 – Occupied without proper utilities, lacks proper ventilation*
- d) *PM-504.2 – Occupied without proper utilities, lacks proper working plumbing fixtures”*

According to the submittal by the City, the Notice was posted on the property and mailed to the property; however, the mailed Notice was returned on July 24, 2025.

3. On December 17, 2025, Cory Kruse (Kruse) and McKenzie Spencer (Spencer), father and daughter and tenants of the property, filed appeals to the City of Martinsville Local Board of Building Code Appeals (local appeals board). The local appeals board heard both appeals

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together and denied both appeals stating “*Appeal was filed outside the 14 day requirement as set forth in §107 of the 2021 Virginia Maintenance Code and failure to pay the appeal fee. Appeal application was made on December 17, 2025 for a notice of unsafe structure posted on July 15, 2025, appeal fee has not been paid as of today for either application.*”

4. On February 2, 2026, Kruse initiated submittal of an appeal application to the Review Board. Kruse completed submittal of the appeal application to the Review Board on March 11, 2026, further appealing the matter to the Review Board.

5. While initially processing the appeal application, Review Board staff found that the appeal application to the local appeals board may have been untimely based on the date the Notice and appeal filing to the local appeals board, verification of receipt of the Notice by Kruse and/or Spencer could not be verified, required appeal fee had not been paid, and proper notice for the hearing may not have been provided to Kruse or Spencer; therefore, in accordance with Review Board Policy #9, Review Board staff prepared the case for a preliminary hearing as to whether the appeal was untimely to the local appeals board, whether the Notice was received by Kruse and Spencer, whether payment of the appeal fee is required for filing the appeal, and whether proper notice for the appeal hearing was provided to Kruse and Spencer.

6. This staff document, along with a copy of all documents submitted, will be sent to the parties and opportunity given for the submittal of additions, corrections, or objections to the staff document, and the submittal of additional documents or written arguments to be included in the information distributed to the Review Board members for the preliminary hearing before the Review Board.

#### Suggested Issues for Resolution by the Review Board

1. Whether the appeal was untimely to the local appeals board.

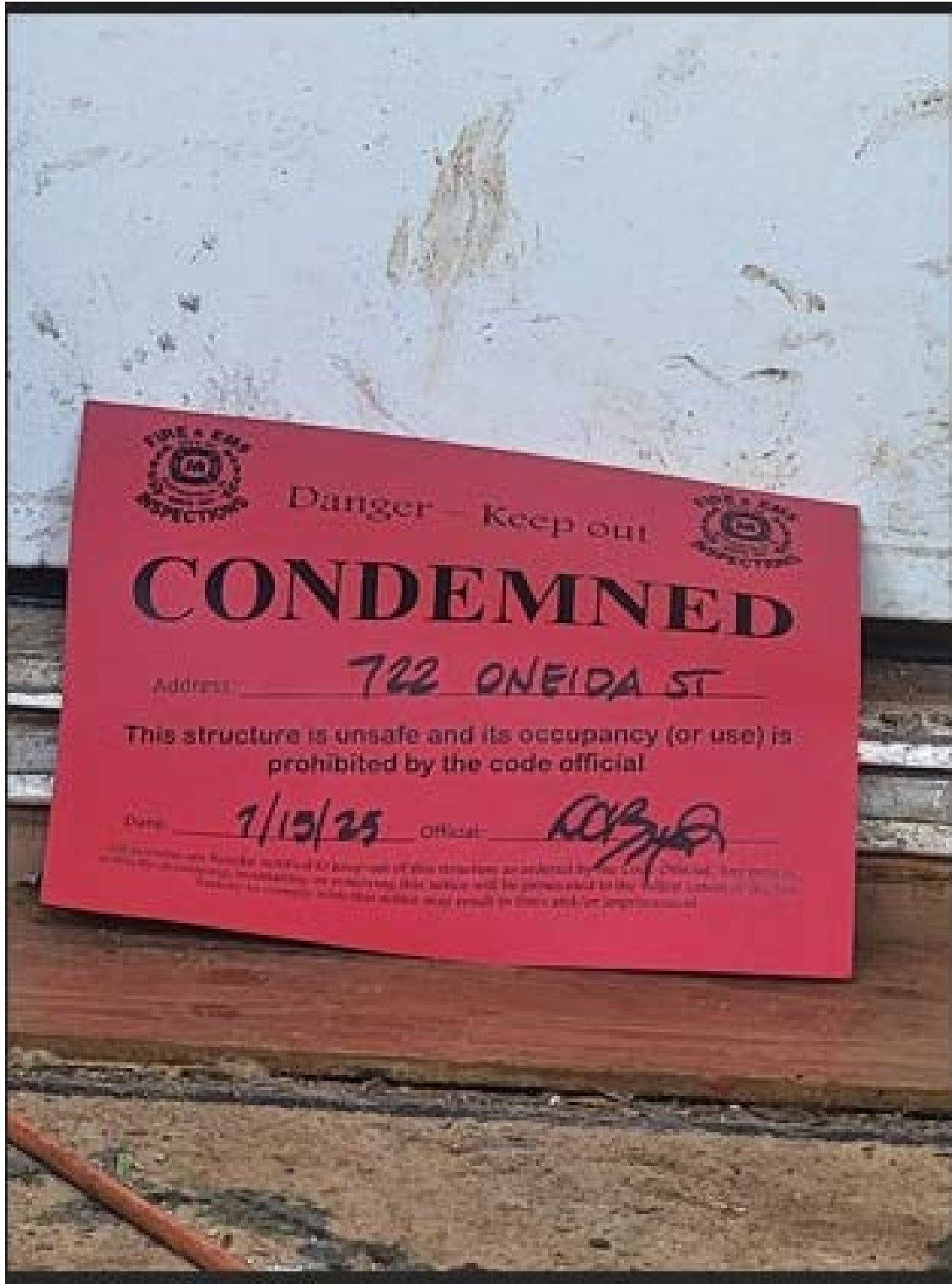
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2. Whether Kruse and Spencer received the Notice.
3. Whether the appeal fee is required to be paid in order for the appeal to be considered as filed, processed, and heard by the local appeals board.
4. Whether the City provided the required 14-day notice for the hearing at the local appeals board to Kruse and Spencer.

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# Basic Documents

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Danger - Keep out



# CONDEMNED

Address: 722 ONEIDA ST

This structure is unsafe and its occupancy (or use) is prohibited by the code official

Date: 7/15/25 Official: [Signature]

All occupants should be notified of this structure as ordered by the Code Official. Any person who enters, occupies, or maintains this structure will be subject to the full extent of the law. Failure to comply with this notice may result in fines and/or imprisonment.



*Martinsville*  
A CITY WITHOUT LIMITS

## *Community Development*

Cory Kruse  
722 Oneida St.  
Martinsville, VA 24112

McKenzie Spencer  
722 Oneida St.  
Martinsville, VA 24112

Richard D. Hankins & Lottie Weatherman  
722 Oneida St.  
Martinsville, VA 24112

Board of Appeals Written Decision  
Appeal # **2026-01**

IN RE: Cory Kruse and McKenzie Spencer vs. City of Martinsville Building Official

The appeal is hereby denied, for the following reasons set out below:

Appeal was filed outside the 14-day requirement as set forth in §107 of the Virginia Maintenance Code and failure to pay the appeal fee. Appeal application was made on December 17, 2025 for a notice of unsafe structure posted on July 15, 2025, appeal fee has not been paid as of today for either application.

Date: January 8, 2026

Board of Appeals Chairman

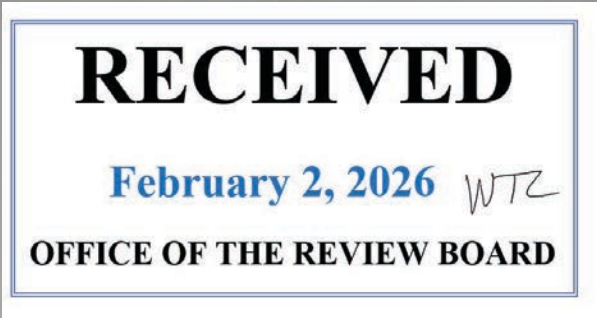
Note: Any person who was a party to the appeal may appeal to the State Building Code Technical Review Board by submitting an application to such board within 21 calendar days upon receipt by registered mail of resolution. Application forms are available from the Office of State Review Board, 600 East Main St, Richmond VA, 23219, (804)371-7150, or <https://www.dhcd.virginia.gov/sites/default/files/Docs/sberb/file-appealapplication-may-19.pdf>.

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
State Building Codes Office and Office of the State Technical Review Board  
Main Street Centre, 600 E. Main Street, Suite 300, Richmond, Virginia 23219  
Tel: (804) 371-7150, Fax: (804) 371-7092, Email: sbco@dhed.virginia.gov

APPLICATION FOR ADMINISTRATIVE APPEAL

Regulation Serving as Basis of Appeal (check one):

- Uniform Statewide Building Code  
 Virginia Construction Code  
 Virginia Existing Building Code  
 Virginia Maintenance Code
- Statewide Fire Prevention Code
- Industrialized Building Safety Regulations
- Amusement Device Regulations



Appealing Party Information (name, address, telephone number and email address):

Cory Kruse 276-403-2921 Krusc.C 24171@gmail.com  
722 Oncida St  
Martinsville VA ~~Krusc.C 24171~~

Opposing Party Information (name, address, telephone number and email address of all other parties):

Kris Bridges 276-403-5000  
55 West Church Street  
Martinsville VA 24112 kbridges@ci.martinsville.va.us

Additional Information (required by the applicable code to be submitted with this application)

- Copy of enforcement decision being appealed
- Copy of the decision of local government appeals board (if applicable)

Additional Information (to be submitted with this application)

- Statement of specific relief sought

CERTIFICATE OF SERVICE

I hereby certify that on the 30 day of January, 2026, a completed copy of this application, including the additional information required above, was either mailed, hand delivered, emailed or sent by facsimile to the Office of the State Technical Review Board and to all opposing parties listed.

**Note:** This application must be received by the Office of the State Technical Review Board within five (5) working days of the date on the above certificate of service for that date to be considered as the filing date of the appeal. If not received within five (5) working days, the date this application is actually received by the Office of the Review Board will be considered to be the filing date.

Signature of Applicant: Cory Kruse

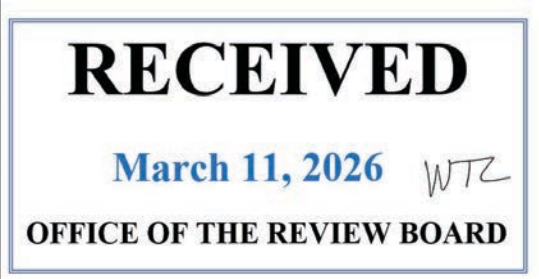
Name of Applicant: Cory Kruse  
(please print or type)

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
State Building Codes Office and Office of the State Technical Review Board  
Main Street Centre, 600 E. Main Street, Suite 300, Richmond, Virginia 23219  
Tel: (804) 371-7150, Fax: (804) 371-7092, Email: sbco@dhed.virginia.gov

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 Virginia Maintenance Code
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- Industrialized Building Safety Regulations
- Amusement Device Regulations



Appealing Party Information (name, address, telephone number and email address):

Cory Kruse 276-403-2921 Kruse.C.24171@gmail.com  
722 Oncida St  
Martinsville VA ~~Kruse.C.24171~~

Opposing Party Information (name, address, telephone number and email address of all other parties):

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Signature of Applicant: Cory Kruse

Name of Applicant: Cory Kruse  
(please print or type)

I cannot say what the code violation (s) as I never received any papers just a red tag on the door and when I contacted the building inspection I was told not enough natural light so I went there to argue the fact that the windows covered 22% of floor space but then they switched to using a generator as permanent power and then was given permission to work in the home not sleep and never got a list of things to fix

The bords decision being appealed that it wasn't filed in a timely manner

And unable to provide a copy of application as I wasn't given a copy

Haven't received the board decision but was present for hearing but wasn't allowed to address the bord and they said I was to late because I was givin permission to work on the property then on December 19 they claimed to be reposting the notice from July 15 and using the police to throw me out and trespassed I filed the appeal within the 14 days of receiving the December notice but it was backdated to prevent my appeal

And the relief i seek is the is simply to know the violations and a time to fix to get back into the house and to know if this is proper procedure for removing someone from there house or what the proper guidelines are for 24 hour removal and an forthwith removal for a lockout and if not an imminent danger what the time to fix should be

**From:** [Cory Kruse](#)  
**To:** [Luter, Travis \(DHCD\)](#)  
**Subject:** 722 Oneida Street Martinsville va  
**Date:** Friday, March 13, 2026 8:43:56 AM  
**Attachments:** [gmail\\_images20260313\\_084005.png](#)

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**TO:** Virginia State Building Code Technical Review Board **FROM:** Cory Kruse **RE:**  
**Rebuttal of Local Board Dismissal – Property: 722 Oneida Street, Martinsville, VA**

**FORMAL NOTICE OF PROCEDURAL ERROR, JUDICIAL FEE WAIVER, AND PHOTOGRAPHIC EVIDENCE**

I, Cory Kruse, am writing to the State Board to contest the dismissal of my appeal by the Martinsville Local Board of Building Code Appeals (LBBCA). I am requesting that the State Board vacate the dismissal based on the following facts:

**1. Revocation of Permission and Timeliness (Photographic Proof)** The Local Board cites a July 15, 2025, notice as the basis for a 14-day appeal window. However, this notice was legally stayed because City officials granted me explicit permission to remain on the property at **722 Oneida Street** to perform repairs following that date.

- **Evidence of Service:** I have attached a photograph to this appeal taken on **December 16, 2025**. This photo clearly shows the Fire Marshal holding the condemnation notice as it was being served for the first time in an enforcement capacity.
- The "appealable event" did not actually occur until this moment on **December 16, 2025**, when my previous permission to work was revoked and the Fire Marshal enforced a lockout.
- My appeal, filed on **December 17, 2025**, was submitted within 24 hours of this actual service, making it timely under the law.

**2. Violation of Judicial Finding of Indigency** The Local Board's dismissal for "failure to pay the appeal fee" is a direct violation of a court determination.

- On **December 17, 2025**, a Judge reviewed my financial status and **signed my Affidavit of Indigency (In Forma Pauperis)** specifically regarding my legal filings for this property.
- A local board does not have the legal authority to override a Judge's signature on a fee waiver to prevent a citizen from accessing the appeals process. Denying my appeal based on a fee that a Judge has already waived is a violation of my 14th Amendment Due Process rights.



Respectfully submitted,

Documents Submitted  
by  
Cory Kruse

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# Documents Submitted By City of Martinsville

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*Martinsville*  
A CITY WITHOUT LIMITS

# NOTICE

No. 0200

In reference to this property located at 722 ONEIDA ST within the City of Martinsville, the following violations of the City's nuisance ordinances 15.5-21 through 15.5-25 were observed on 8/28/18;

- Debris, refuse, rubbish, trash \_\_\_\_\_
- Disease or breeding of insects or vermin \_\_\_\_\_
- Elevated vehicle \_\_\_\_\_
- Junk vehicle \_\_\_\_\_
- Noxious or offensive odors \_\_\_\_\_
- Pools of water \_\_\_\_\_
- Unlicensed vehicle \_\_\_\_\_
- Public nuisance tree \_\_\_\_\_
- Open storage of inoperative vehicle \_\_\_\_\_
- Maintenance of property-weeds and rank growth CUT ALL GRASS

RECEIVED  
SEP 14 2018

This property will be re-inspected on 8/27/18 (C). Any of the noted above violations remaining on this date will be abated at the owner's expense. Please contact the following nuisance compliance officer with any questions. Thank you.

MARIL PRICE                      403-5174                      8/21/18

Name

Phone

Date  
39

#1525750

sent to finance on 5/3/2023

#225.00 fine



Martinsville  
A CITY WITHOUT LIMITS

Richard Dale Hankins  
+ Lottie Marks Weatherman, Heirs  
1722 Oneida Street  
Martinsville, VA 24112

# NOTICE

No. 5645

#12(02)00/03

On 4/17/23 the property located at 722 Oneida St within the City of Martinsville has at least one of the following nuisance ordinance violations as described in §13.36, §15.5-21 through §15.5-23 and §15.5-29 and/or the parking portion of the Zoning Ordinance, XXIII.H.1

- Debris, refuse, rubbish, trash
- Harborage or breeding ground for insects or pests
- Open storage of inoperative vehicle
- Improperly parked vehicle, surfaces unapproved
- Noxious or offensive odors
- Pooling and/or ponding water
- Dead, diseased or dying, public nuisance tree
- Maintenance of property-weeds and rank growth cut all grass

RECEIVED  
APR 20 2023

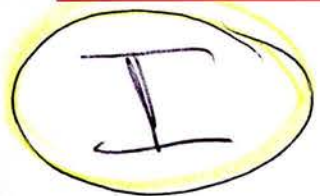
This property will be re-inspected on 4/20/23. Any of the above noted violations that remain on this date will be abated at the owner's expense. Please contact the following nuisance compliance officer with any questions or to request an extension.

L. Rogers

403-5929

Name

Phone





**Martinsville**  
A CITY WITHOUT LIMITS

# NOTICE

**Nº 7025**

On 12/14/25 the property located at 724 ONEIDA within the City of Martinsville has at least one of the following nuisance ordinance violations as described in §13.36, §15.5-21 through §15.5-23 and §15.5-29 and/or the parking portion of the Zoning Ordinance, XXIII.H.1

- Debris, refuse, rubbish, trash GET TRASH OFF PORCH AND YARD
- Harborage or breeding ground for insects or pests \_\_\_\_\_
- Open storage of inoperative vehicle \_\_\_\_\_
- Improperly parked vehicle, surfaces unapproved \_\_\_\_\_
- Noxious or offensive odors \_\_\_\_\_
- Pooling and/or ponding water \_\_\_\_\_
- Dead, diseased or dying, public nuisance tree \_\_\_\_\_
- Maintenance of property-weeds and rank growth \_\_\_\_\_

This property will be re-inspected on 12/15/25. Any of the above noted violations that remain on this date will be abated at the owner's expense. Please contact the following nuisance compliance officer with any questions or to request an extension.

James Harker  
Name

276-403-1117  
Phone



Martinsville

A CITY WITHOUT LIMITS

posted and  
mailed on  
7/15/2025

*Department of Community Development*  
**Notice of Unsafe Structure**

July 15, 2025

Richard Dale Hankins & Lottie H. Weatherman, Heirs  
722 Oneida St.  
Martinsville, VA 24112



Re: 722 Oneida St.  
Map# 12 (02 )00 /03

Dear Property Owners, Tenants and/or Agents,

The City of Martinsville's Inspections Division inspected the above-mentioned property and found it to be in violation of the Virginia Uniform Statewide Building Code (USBC) for the maintenance of existing structures.

**You are hereby notified that this building is CONDEMNED; the Code Official prohibits any further use or occupancy and vacated by 12pm noon Wednesday, July 16, 2025. And secured against public entry.**

The specific violations which exist, that cause this building to be declared unsafe, unfit for human occupancy or unlawful are listed below

- PM-106 – Unsafe and unfit structure, extensive damage due to neglect.
- PM-402.1 – Occupied without proper utilities, lacks proper lighting
- PM-403.1 – Occupied without proper utilities, lacks proper ventilation
- PM-504.2 – Occupied without proper utilities, lacks proper working plumbing fixtures

**ORDER**

**The Building Code Official has determined that in order to abate the unsafe or dangerous conditions on this property, this building must be vacated and secured against public entry. Prior to re-occupancy, all violations of the Virginia Maintenance Code must be corrected. Until such time as the structure is brought into compliance, it will remain Condemned, and occupancy prohibited.**

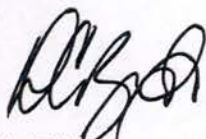
Failure to comply with this order to abate the unsafe and dangerous conditions on this property will result in the City of Martinsville taking action as to abate such conditions in accordance with the provisions of Virginia Code Section 15.2-906 and or the USBC, as the Building Code Official deems appropriate. This may result in legal action which would subject you to a fine of up to \$2,500.00, or the City may take the necessary action, up to and including the taking down and removal of this building and charge the costs or expenses thereof to you. Any charges assessed that are unpaid would constitute a lien in that amount against the property.

**Right of Appeal**

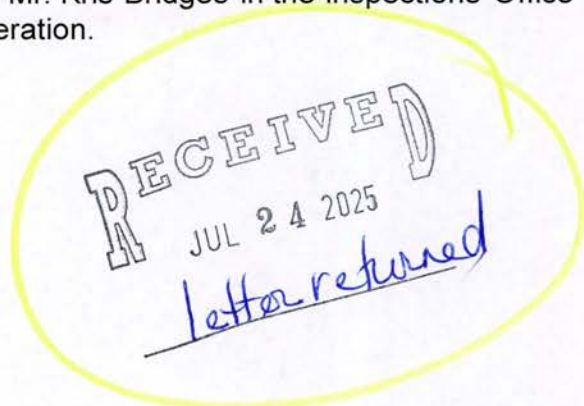
You have the right to appeal this decision of the Building Code Official to the local Board of Building Code Appeals as provided for in Section 107 of the USBC. A written request for such an appeal shall be made on forms provided by the Code Official, and filed with this office within 14 calendar days from receipt of this notice and accompanied by a fee of \$100.00. Applications for appeal may be obtained in the Inspections Office located in Room 217 of the Municipal Building on W. Church St., Monday through Friday, 8:30 am until 5:00 pm.

I encourage you to contact the Building Code Official, Mr. Kris Bridges in the inspections Office to discuss this matter further. Thank you for your time and cooperation.

Sincerely,



Kris Bridges  
Building Official  
(276) 403-5171



RECEIVED  
JUL 24 2025  
letter returned

INSPECTION FIELD SHEET  
Printed by ASHLEE TURNER

03/19/26  
13:38:18

INSPECTION: 23417      Condemn Notice Posted on Prop

LOC: 722 ONEIDA ST  
MARTINSVILLE

PROPERTY ID: 000037900

OWNER:            HANKINS RICHARD DALE &  
                      276-224-7426

CONTRACTOR: \_\_\_\_\_

REQUEST BY: \_\_\_\_\_

WORK ORDER:

INSPECTOR:	mp	RESULT:	PASS
REQUESTED:	07/15/25 1000	PRIORITY:	
SCHEDULED:	07/15/25 1015	COMPLETED:	07/15/25 1118
UNPAID FEES:	.00		Date            Time

MILEAGE:        .00                            TIME: TRAVEL                    ONSITE

COMMENTS:  
NOTICE OF UNSAFE STRUCTURE AND ORDER TO VACATE POSTED ON PROPERTY  
CITY OF MARTINSVILLE FIRE MARSHAL: ANDY POWERS  
CITY OF MARTINSVILLE DEPUTY CODE OFFICIAL: MARK PRICE II

INSPECTION FIELD SHEET  
Printed by ASHLEE TURNER

03/19/26  
13:35:06

INSPECTION: 23418 Condemn Notice RE-POSTED

LOC: 722 ONEIDA ST  
MARTINSVILLE

PROPERTY ID: 000037900

OWNER: HANKINS RICHARD DALE &  
276-224-7426

CONTRACTOR: \_\_\_\_\_

REQUEST BY: \_\_\_\_\_

WORK ORDER:

INSPECTOR:	mp	RESULT:	PASS
REQUESTED:	12/16/25 1300	PRIORITY:	
SCHEDULED:	12/16/25 1300	COMPLETED:	12/16/25 13:37
UNPAID FEES:	.00		Date Time

MILEAGE: .00 TIME: TRAVEL ONSITE

COMMENTS:

CONDEMNATION NOTICED RE-POSTED ON STRUCTURE  
CITY OF MARTINSVILLE FIRE MARSHAL: ANDY POWERS  
CITY OF MARTINSVILLE DEPUTY CODE OFFICIAL: MARK PRICE II



**Martinsville**  
A CITY WITHOUT LIMITS

Kris Bridges  
Building Official  
(276) 403-5171

Ashlee Turner  
Permit Technician  
(276) 403-5173

Mark Price II  
Code Compliance  
Inspector  
(276) 403-5174

# USBC Appeal Form

*A \$100 nonrefundable appeal fee must be included at the time of submittal*

The Owner, the owner's agent, or any other person involved in the design or construction of a building or structure may appeal the decision of the code official concerning the application of the USBC to such building or structure. They may also appeal a refusal by the code official to grant a modification to the provisions of the USBC pertaining to such building or structure. The applicant shall submit a written request for appeal to the Local Board of Building Code Appeals within the below listed time frames. Indicate the code appealed.

- Virginia Construction Code - Within 30 days of receipt of the Code Official's decision
- Virginia Maintenance Code - Within 14 days of receipt of the Code Official's decision
- Virginia Amusement Device Regulations - Within 14 days of receipt of the Code Official's decision
- USBC - Within 30 days of the denial of a modification

Failure to submit an application for appeal within the time limit established by this section shall constitute acceptance of the code official's decision.

Applicant Name Mckenzie Jensen  
 Relationship  Owner  Owner's agent  
 Applicant Address 722 Oneida Street  
 City Martinsville State VA Zip 24078  
 Phone 276-732-3332 email mckenzie35@gmail.com

Owner Richard Dale Hankins  
 Owner Address Stuarts RD  
 City Martinsville State VA Zip 24112  
 Phone \_\_\_\_\_ email \_\_\_\_\_

Address of subject property 722 Oneida street  
 Date of Code Official's decision 12-16-25

Description of Appeal I am appealing the verbal and physical order to vacate issued on December 16<sup>th</sup> executed by Martinsville Police and Brandon Oreal, James Hopkins, Mark Price II, under purported authority of the Virginia uniform statewide

grounds for appeal Building Codes  
 Received by M Jensen Appeal Fee Improper service Date 12/17/25  
None paid at this time 462/17/25

Document 1: Notice of Appeal to the LBBCA

TO: Local Board of Building Code Appeals (LBBCA)

ATTN: Kris Bridges, Building Official

CITY: Martinsville, Virginia

DATE: December 17, 2025

RE: EMERGENCY NOTICE OF APPEAL – 722 Oneida street Martinsville VA 24112

1. THE PARTIES:

This appeal is filed by McKenzie N Campbell Spencer, an aggrieved party and occupant of the property located at 722 Oneida street Martinsville VA 24112

2. THE DECISION BEING APPEALED:

I am appealing the verbal and physical order to vacate issued on December 16, 2025, executed by Martinsville Police and Brandon Oreal, James Hopkins, Mark Price II, under the purported authority of the Virginia Uniform Statewide Building Code (USBC).

3. GROUNDS FOR APPEAL (USBC § 119.5):

\* IMPROPER SERVICE: No written "Notice of Violation" or "Order to Vacate" was served on the occupant prior to physical removal.

\* FAILURE TO PLACARD: Contrary to USBC § 106.5, the City failed to post "Unsafe" placards at each of the four (4) entrances prior to removal. Video evidence shows officials in possession of placards after the lockout occurred.

\* INCORRECT INTERPRETATION: The City is using a nuisance/trash ordinance as a pretext for a structural condemnation without following structural due process.

4. RELIEF SOUGHT:

I request an immediate Stay of Enforcement as required by law. I demand the Board reverse the decision to exclude me from the property and allow immediate restoration of my residency.

5. URGENT REQUEST:

Because this action has resulted in immediate homelessness, I request an expedited hearing within the timeframes allowed by the USBC.

Respectfully Submitted,

\_\_\_\_\_ McKenzie N Campbell Spencer

Phone: 276-732=3352

Email: McKenziie38@Gmail.com



**Martinsville**  
A CITY WITHOUT LIMITS

Kris Bridges  
Building Official  
(276) 403-5171

Ashlee Turner  
Permit Technician  
(276) 403-5173

Mark Price II  
Code Compliance  
Inspector  
(276) 403-5174

# USBC Appeal Form

*A \$100 nonrefundable appeal fee must be included at the time of submittal*

The Owner, the owner's agent, or any other person involved in the design or construction of a building or structure may appeal the decision of the code official concerning the application of the USBC to such building or structure. They may also appeal a refusal by the code official to grant a modification to the provisions of the USBC pertaining to such building or structure. The applicant shall submit a written request for appeal to the Local Board of Building Code Appeals within the below listed time frames. Indicate the code appealed.

- Virginia Construction Code - Within 30 days of receipt of the Code Official's decision
- Virginia Maintenance Code - Within 14 days of receipt of the Code Official's decision
- Virginia Amusement Device Regulations - Within 14 days of receipt of the Code Official's decision
- USBC - Within 30 days of the denial of a modification

Failure to submit an application for appeal within the time limit established by this section shall constitute acceptance of the code official's decision.

Applicant Name Cory Kruse  
 Relationship  Owner  Owner's agent Tenant  
 Applicant Address 722 Oneida Street  
 City Martinsville State VA Zip 24112  
 Phone 276 403 2921 email Kruse.C24171@gmail.com

Owner ~~Tenant~~ Richard Dale Hawkins  
 Owner Address Stultz Rd  
 City Martinsville State VA Zip 24171  
 Phone \_\_\_\_\_ email \_\_\_\_\_

Address of subject property 722 Oneida  
 Date of Code Official's decision 12-16-2025

Description of Appeal I am appealing the Verbal and physical order to vacate on December 16-2025 issued by Martinsville Police and Brandon Oyrul James Hopkins Mark Price II under purported authority of Virginia Uniform state wide Building Code USBC

Grounds for appeal improper service failure to place

Received by [Signature] Appeal Fee NOT PAID AT THIS TIME Date 12/17/25



*Department of Community Development*

January 5, 2026

Richard Dale Hankins  
722 Oneida St.  
Martinsville, VA 24112

Cory Kruse  
722 Oneida St.  
Martinsville, VA 24112

Mckenzie S.  
722 Oneida St.  
Martinsville, VA 24112

**RE: Notice of Board Appeals Hearing**

Dear Property Owners and/or Agents,

This letter serves as formal notification that an appeal has been submitted to the Board for review.

Please be advised that the Board of Appeals has scheduled a hearing with the following date and time:

**Date: January 8, 2026**

**Time: 2:00 p.m.**

**Location: 55 W. Church St., Martinsville, VA 24112 (Council Chambers)**

You are hereby notified of this hearing and are entitled to attend and present any relevant information, documentation, or testimony for consideration by the Board. Should you be unable to attend, written statements or supporting materials may be submitted prior to the hearing date.

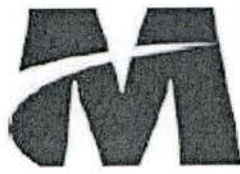
If you have any questions, please contact:

Kris Bridges @ 276.403.5171 or [kbridges@martinsvilleva.gov](mailto:kbridges@martinsvilleva.gov).

Thank you for attention to this matter.

Sincerely,

Kris Bridges



Board of Appeals Written Decision

Appeal # 2026-01

IN RE: Cory Kruse and McKenzie Spencer vs. City of Martinsville Building Official

The appeal is hereby denied, for the following reasons set out below:

Appeal was filed outside the 14 day requirement as set forth in §107 of the 2021 Virginia Maintenance Code and failure to pay the appeal fee. Appeal application was made on December 17, 2025 for a notice of unsafe structure posted on July 15, 2025, appeal fee has not been paid as of today for either application.

---

Date: January 8, 2025

Signature:   
Chairman

Note: Any person who was a party to the appeal may appeal to the State Building Code Technical Review Board by submitting an application to such board within 21 calendar days upon receipt by registered mail of this resolution. Application forms are available from the Office of the State Review Board, 600 East Main St, Richmond VA, 23219, (804)371-7150, or <https://www.dhcd.virginia.gov/sites/default/files/Docs/sbcrb/file-appeal/appeal-application-may-19.pdf>.

## *Community Development*

Cory Kruse  
722 Oneida St.  
Martinsville, VA 24112

McKenzie Spencer  
722 Oneida St.  
Martinsville, VA 24112

Richard D. Hankins & Lottie Weatherman  
722 Oneida St.  
Martinsville, VA 24112

Board of Appeals Written Decision  
Appeal # **2026-01**

IN RE: Cory Kruse and McKenzie Spencer vs. City of Martinsville Building Official

The appeal is hereby denied, for the following reasons set out below:

Appeal was filed outside the 14-day requirement as set forth in §107 of the Virginia Maintenance Code and failure to pay the appeal fee. Appeal application was made on December 17, 2025 for a notice of unsafe structure posted on July 15, 2025, appeal fee has not been paid as of today for either application.

Date: January 8, 2026

Board of Appeals Chairman

Note: Any person who was a party to the appeal may appeal to the State Building Code Technical Review Board by submitting an application to such board within 21 calendar days upon receipt by registered mail of this resolution. Application forms are available from the Office of State Review Board, 600 East Main St, Richmond VA, 23219, (804)371-7150, or <https://www.dhcd.virginia.gov/sites/default/files/Docs/sbcrb/file-appealapplication-may-19.pdf>.

# City of Martinsville

## Board of Building Code Appeals

### Meeting Minutes

**Date:** January 8, 2026

**Location:** Municipal Building, Room 217

**Meeting Called to Order:** 2:01 PM

**Subject:** Appeal of Notice of Condemnation and Order to Vacate dated July 15, 2025

**Board Member Present:** Wayne Draper(Chairman), Tonya Scales, Genecarelli Clark

**Appellants:** Cory Kruse & McKenzie Spencer

### *Summary of Proceedings:*

The Board reviewed an appeal filed by Cory Kruse and McKenzie Spencer concerning a Notice of Unsafe Building and Order to Vacate that was posted on the subject property on July 15, 2025. The Chair first addressed whether the appeal was valid and timely under the Uniform Statewide Building Code (USBC).

Staff cited Section 107 of the USBC (Property Maintenance), which require that an appeal be filed within the prescribed time period (14 calendar days) and be accompanied by the required appeal fee prior to being heard.

It was stated that the Notice of Condemnation was legally served by posting on the property, and that posting constitutes proper legal service. The appellants did not submit the appeal within the required time frame and did not pay the required appeal fee.

### *Appellants' Comments:*

The appellants asserted that the condemnation was not based on an imminent safety hazard, claimed procedural deficiencies in the condemnation process, and alleged that due process was not afforded. The appellants disputed the findings related to the use of a generator and stated that permission had been given to enter the property to perform work.

City staff responded that the property was deemed unsafe due to occupancy without required utilities and the continuous use of a generator while the dwelling was occupied. Staff stated that repairs were allowed, and that the property was reposted in December following additional complaints.

### *Board Action:*

A motion was made and seconded to deny the appeal filed by Cory Kruse and McKenzie Spencer based on failure to file the appeal within the required time period and failure to submit the required

appeal fee. The motion carried by consensus of the Board.

The Chair advised the appellants of their right to further appeal the decision to the State Technical Review Board. The meeting was adjourned.

Meeting Adjourned: 2:17 PM

Chairperson Signature:  Date: 1/13/26



VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF MARTINSVILLE

CORY KRUSE, Plaintiff,

v.

CITY OF MARTINSVILLE BUILDING BOARD OF APPEALS, Defendant.

PETITION FOR EMERGENCY INJUNCTION AND STAY OF ADMINISTRATIVE ORDER

Comes now the Plaintiff, **Cory Kruse**, appearing Pro Se, and respectfully moves this Court for an Emergency Injunction and Stay of the Building Official's "Vacate Order" regarding the property at **722 Oneida Street, Martinsville, VA**. In support of this Petition, Plaintiff states as follows:

1. **Admission of No Imminent Danger:** In a hearing on January 8, 2026, the Building Official admitted on the record that the property **does not** pose an "imminent danger."
2. **Violation of State Law (VA Code § 15.2-906):** Despite admitting no imminent danger existed, the Official executed a 24-hour emergency ouster. Under Virginia Law, a non-emergency requires a **30-day notice and right to cure**. The City deliberately bypassed this statutory requirement.
3. **Procedural Fraud:** The City backdated a December 19, 2025, notice to **July 19, 2025**. The Building Official admitted today this was a "reposting," confirming a five-month delay in enforcement which further proves no emergency existed.
4. **Denial of Due Process:** The Local Board refused to hear evidence of this fraud today and had me removed by police, claiming my appeal was "untimely" based on their backdated July date.
5. **Irreparable Harm (Parental Rights):** This fraudulent administrative record is the primary evidence being used in a **Termination of Parental Rights (TPR)** case in J&DR Court. If this Court does not stay the order, my family will be permanently severed based on an admitted non-emergency and a falsified government record.

**PRAYER FOR RELIEF:**

Plaintiff seeks an immediate **Stay of Execution** of the ouster order and an Injunction preventing the City from enforcing the vacate notice until this matter is heard on its merits.

Respectfully Submitted,

Cory Kruse

*Cory Kruse*  
1-8-2026

Phone: 276-403-2921

Address: 722 Oneida Street, Martinsville, VA 24112

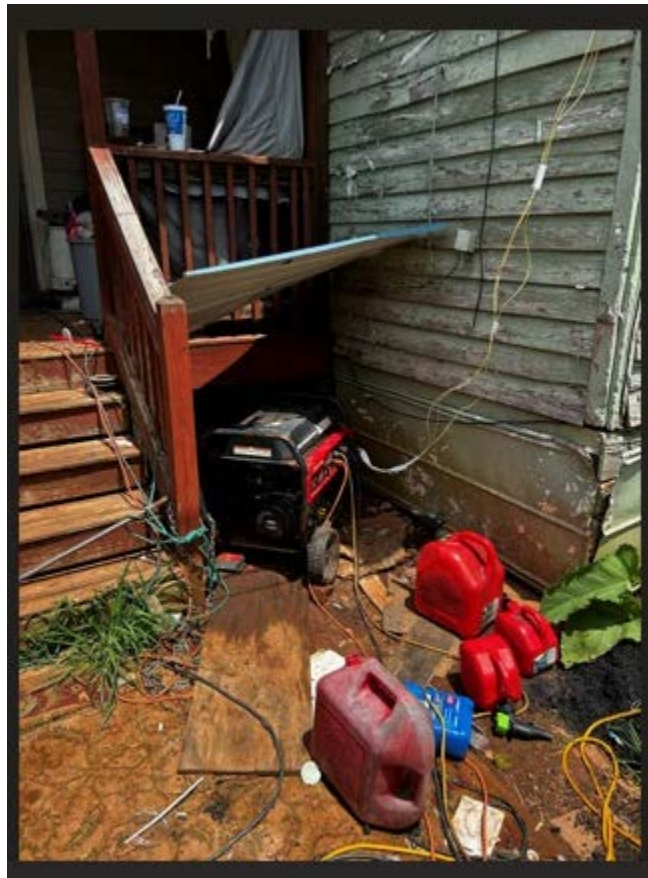
*Do order vacating portion to proceed in court. Repeals and file. Kruse on City. 1/12/26*













**Martinsville**  
A CITY WITHOUT LIMITS

**Community Development**

P.O. Box 1112  
Martinsville, VA 24114-1112

RETURN SERVICE REQUESTED

GREENSBORO NC 270

17 JUL 2025 PM 3:11

FIRST-CLASS



US POSTAGE and PITNEY BOWES



ZIP 24112 \$000.74  
02 7H  
0006121348 JUL 15 2025

**RECEIVED**  
JUL 24 2025

*Returned*

Richard D. Hankins & Lottie H. Weatherman  
722 Oneida St.  
Martinsville, VA 24112

NIXIE 274 FE 1 0007/23/25

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

BC: 24114111212 \*0380-00074-17-29

24114-1112 UTE

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Additional Documents  
Submitted by  
Cory Kruse

(Page left blank intentionally)

**From:** [Cory Kruse](#)  
**To:** [Luter, Travis \(DHCD\)](#)  
**Cc:** [Kris Bridges](#); [Rou, Brandon \(DHCD\)](#); [Scott, Christopher \(DHCD\)](#)  
**Subject:** Re: Appeal to the Review Board for Cory Kruse (Appeal No. 26-01)  
**Date:** Tuesday, April 14, 2026 1:36:36 AM  
**Attachments:** [image001.png](#)  
[image001.png](#)

---

Subject: Acknowledgment of Documentation Provided to the State Technical Review Board – 722 Oneida st

To the Building Official's Office,

I am writing to sincerely thank you for the photographs and documentation recently submitted to the State Technical Review Board regarding my property.

I truly appreciate the transparency in providing these specific records, as they clarify several critical points for the upcoming review:

**The Returned Mail:** Thank you for providing the photograph of the returned, unopened envelope. This is a vital piece of evidence confirming that the initial notice was not successfully served via mail and that the City was aware of this failure of delivery.

**The December Documentation:** I am especially grateful for the photograph of the Fire Marshal holding the notice during the police intervention in December. This photo is an excellent record of the fact that the notice was still in the official's possession—and had not yet been posted on the structure—at the time the removal process was initiated.

**The Condition of Records:** Thank you for providing the clean, crisp copies of the notices. Having these pristine versions helps me compare them against the actual service history and physical conditions of the property during that timeline.

Your decision to share these photographs with the State Technical Review Board has been incredibly helpful. It ensures that the Board has a clear, visual record of the exact sequence of events regarding service and enforcement.

I look forward to our hearing before the State Technical Review Board, where these documents will undoubtedly help everyone reach a fair and legally sound conclusion.

Sincerely,

Cory Kruse

(276) 403-2921

Dated: April 14, 2026

On Mon, Apr 13, 2026, 1:40 PM Luter, Travis (DHCD) <[Travis.Luter@dhcd.virginia.gov](mailto:Travis.Luter@dhcd.virginia.gov)> wrote:

Review Board staff received this submittal.

**W. Travis Luter, Sr., CBO**

Secretary to the State Building Code Technical Review Board

Code and Regulation Specialist

Virginia Department of Housing and Community Development (DHCD)

804-371-7163

[travis.luter@dhcd.virginia.gov](mailto:travis.luter@dhcd.virginia.gov)



---

**From:** Kris Bridges <[KBRIDGES@martinsvilleva.gov](mailto:KBRIDGES@martinsvilleva.gov)>

**Sent:** Thursday, April 9, 2026 10:17 AM

**To:** Luter, Travis (DHCD) <[Travis.Luter@dhcd.virginia.gov](mailto:Travis.Luter@dhcd.virginia.gov)>; KRUSE.C24171 <[kruse.c24171@gmail.com](mailto:kruse.c24171@gmail.com)>

**Cc:** Rou, Brandon (DHCD) <[Brandon.Rou@dhcd.virginia.gov](mailto:Brandon.Rou@dhcd.virginia.gov)>; Scott, Christopher (DHCD) <[Christopher.Scott@dhcd.virginia.gov](mailto:Christopher.Scott@dhcd.virginia.gov)>

**Subject:** RE: Appeal to the Review Board for Cory Kruse (Appeal No. 26-01)

Thank you Mr. Luter,

In light of Mr. Kruse's statement concerning the original notice being returned, I have attached the envelope with the USPS information. At this time I agree with the time line outlined in the Staff Document for the appeal 26-0. I have nothing further to add at this time and appreciate your work thus far.

Kris Bridges, MCP, CBO, CZA

Building Official & Zoning Administrator

Dept of Community Development

55 W Church St

PO Box 1112

Martinsville, VA 24112

[kbridges@martinsvilleva.gov](mailto:kbridges@martinsvilleva.gov)

(276)403-5171

---

**From:** Luter, Travis (DHCD) <[Travis.Luter@dhcd.virginia.gov](mailto:Travis.Luter@dhcd.virginia.gov)>

**Sent:** Thursday, April 9, 2026 9:56 AM

**To:** KRUSE.C24171 <[kruse.c24171@gmail.com](mailto:kruse.c24171@gmail.com)>; Kris Bridges <[KBRIDGES@martinsvilleva.gov](mailto:KBRIDGES@martinsvilleva.gov)>

**Cc:** Rou, Brandon (DHCD) <[Brandon.Rou@dhcd.virginia.gov](mailto:Brandon.Rou@dhcd.virginia.gov)>; Scott, Christopher (DHCD) <[Christopher.Scott@dhcd.virginia.gov](mailto:Christopher.Scott@dhcd.virginia.gov)>

**Subject:** Appeal to the Review Board for Cory Kruse (Appeal No. 26-01)

**CAUTION:** This email originated outside the City of Martinsville's email system.  
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Parties,

Attached are two documents created by Review Board staff for the above referenced appeal. The first is the Review Board staff summary which is done for the benefit of the parties and the Review Board members in accordance with established policy. The second document is the record of the appeal containing what is suggested to be given to the Review Board members along with the staff summary.

You may submit additions, corrections or objections to the staff summary, additional documents, and written arguments to be included with the information going to the Review Board members for the appeal. They must be received on or before Friday May 8, 2026, to

be included in the board package. Be reminded that your entire submittal cannot exceed the allowable 100 pages; when it does you must submit a request to the Secretary for consideration by the Chair.

The appeal hearing before the Review Board is scheduled for June 12, 2026. We will be sending out a notice of hearing and excerpts from the Review Board agenda package with all information for this appeal to you prior to the hearing as well as additional information about the meeting.

Review Board staff has sent a copy of this email and its attachments, via UPS Overnight, to property owner Richard Dale Hankins because he does not have an email address.

Should you have any questions or concerns, please do not hesitate to contact me.

**W. Travis Luter, Sr., CBO**

Secretary to the State Building Code Technical Review Board

Code and Regulation Specialist

Virginia Department of Housing and Community Development (DHCD)

804-371-7163

[travis.luter@dhcd.virginia.gov](mailto:travis.luter@dhcd.virginia.gov)



From: [Cory Kruse](#)  
To: [Luter, Travis \(DHCD\)](#)  
Date: Friday, May 8, 2026 12:36:15 PM

---

## APPELLANT'S REBUTTAL: EVIDENCE OF TARGETED PROCEDURAL INTERFERENCE

Appeal No. 26-01

Date of Submittal: May 8, 2026

### I. THE JULY "GHOST NOTICE": SABOTAGE OF AUGUST 5TH PARENTAL RIGHTS HEARING

The City's record includes a July 15, 2025, notice that was returned as undelivered. The City sat on this "failed service" for 157 days, choosing only to act when it could cause maximum damage.

The Violation: USBC § 105.2 (Mandatory Service).

The Impact: The City initiated this "unfit" cloud over my life precisely as I was preparing for an August 5th termination of parental rights hearing. By generating a notice but failing to ensure I received it, the City created a "ticking time bomb" in my administrative record. This was not a safety measure; it was a calculated attempt to destabilize my residency status during the most sensitive window of my daughter's legal case.

### II. THE DECEMBER 16TH "AMBUSH": INTERFERENCE WITH THE JANUARY 5TH APPEAL

The most egregious violation occurred on December 16, 2025. On the exact same day the City's own inspector documented that the property PASSED inspection, the Building Official executed a physical lockout.

The Violation: USBC § 107.2 (Abuse of Emergency Measures).

The Impact: This lockout was performed 17 days before my January 5th final appeal for my daughter. By ignoring their own "Passed" report to rush an illegal eviction, the City intentionally rendered me homeless and separated me from my \$25,000 in professional tools during my final weeks of court preparation. This was a direct strike at my "familial life"—using the Building Code as a tool of harassment to ensure I entered a court of law in a state of crisis and displacement.

### III. THE JANUARY 8TH "SHAM": ADMINISTRATIVE EXHAUSTION

Following the conclusion of my parental rights appeal on January 6th, the City immediately forced a local board hearing on January 8th, providing only 6 days of notice.

The Violation: USBC § 121.2 (Failure of 14-Day Notice).

The Impact: Providing only 6 days of notice—while the City knew I was physically and emotionally exhausted from a 48-hour-old parental rights battle—is the definition of Bad Faith. The City weaponized the clock, ignoring the mandatory 14-day window to ensure I had no "meaningful opportunity to be heard." They timed this hearing to kick a man while he was down, ensuring the local board could "rubber-stamp" an illegal lockout without a proper defense.

### IV. CONCLUSION: THE PRETEXT OF SAFETY

The City of Martinsville's own evidence reveals a "perfect synchronization" between Building Code enforcement and the destruction of my family unit.

July Notice \rightarrow Targeted at August 5 Court.

December Lockout \rightarrow Targeted at January 5 Court.

6-Day Hearing Notice \rightarrow Targeted at January 6 Exhaustion.

The City's actions were not motivated by the USBC, but by a desire to hinder my familial association and legal standing. Because the City's own records prove the building PASSED on the day of the lockout, and because they violated Notice and Service mandates, this

enforcement action must be vacated in its entirety.

VIRGINIA:

BEFORE THE  
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of William Laffoon  
Appeal No. 26-02

CONTENTS

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VIRGINIA:

BEFORE THE  
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of William Laffoon  
Appeal No. 26-02

REVIEW BOARD STAFF DOCUMENT

Suggested Statement of Case History and Pertinent Facts

1. On November 3, 2025 the City of Richmond Department of Planning and Development Review (City), the agency responsible for the enforcement of Part I of the 2021 Virginia Uniform Statewide Building Code (VUSBC or VCC), rejected the plan review on the basement and first floor of the structures located at 5 E. and 7 E. Broad St in the City of Richmond submitted by William Laffoon (Laffoon) for his request for two new certificates of occupancy (CO) required by the City of Richmond Finance Office for a business license for the three businesses. The current CO, issued August 9, 2022, is for the existing tenant, a nightclub, that currently occupies the entire first floor and basement of the structures located at 5 E. and 7 E. Broad St will remain in the entire basement only of 5 E. Broad St. and 7 E. Broad St.; therefore, the current CO will be required to be amended to reflect the proposed use. The other two CO requests were for two new tenants, also both nightclubs, that will occupy half of the first floor each, one located at 5 E. Broad St. and the other located at 7 E. Broad St. In the City plan review rejection, the City requested in part the following clarification and/or submittal via email from the plans examiner:

- Clarify use of the basement
- Submit sealed, unlocked drawing set for each new tenant space

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- Indicate in the drawing if the goal is to reestablish 5 E. Broad Street address or create two suites under the 7 E. Broad Street address; if two suites are proposed, provide the suite numbers
- Provide plumbing calculations coordinated with the occupancy load
- Show where wall openings are being filled and indicate what materials are proposed for the new walls
- Call out rated assemblies
- Drawing should include code summary specifying the building code, construction type, use classification, occupant load calculations, sprinkler information, etc.
- Basement separation and access, if applicable
- Requiring permits

*Note: The City required the plan review pursuant to VCC Section 108.1 When applications are required Item #2 and Virginia Existing Building Code, (VEBC) Section 202, definition of Change of Occupancy Item #2, due to the subdivision of the first-floor tenant space which changed the level of activity in the building.*

2. Laffoon filed an appeal application to the City of Richmond Local Board of Building Code Appeals (local appeals board) on January 16, 2026. On February 18, 2026, the local appeals board “Upheld” the appeal finding that *“the intent of the code was applied and enforced properly by the code official.”* On February 23, 2026, Laffoon further appealed to the Review Board seeking to overturn the decision of the city and local appeals board.

3. Review Board staff conducted an informal fact-finding conference (IFFC) on May 5, 2026 for the Laffoon appeal (Appeal No. 26-02), which was attended by William Laffoon, Daniel Mouer, and Michelle Dickson. The first issue addressed during the IFFC was for staff to gain clarity on the structure subject to the appeal and scope of the proposed project related to the appeal.

4. The second issue addressed during the IFFC was clarifying the issues for resolution for the appeal. While processing the appeal Review Board staff found that the appeal to the local appeals board may have been untimely. Laffoon had not identified the potential jurisdictional

(Page left blank intentionally)

issue of timeliness in his statement of relief sought in his appeal application to the Review Board. Staff pointed out the potential jurisdictional issue and described the process for the potential jurisdictional issue to the parties present should Laffoon wish to have the potential jurisdictional issue considered by the Review Board. After a brief discussion Laffoon indicated that he did not wish to have this matter considered by the Review Board at a preliminary hearing.

*Note: Review Board staff contacted the City local appeals board Secretary to determine whether the City had regularly scheduled local appeals board meetings. The City confirmed that it does have regularly scheduled local appeals board meetings: therefore, in accordance with VCC Section 119.6, the City had 45 days to hear the case. The appeal was timely to the local appeals board.*

Once the remaining issues for resolution were identified, Review Board staff reviewed the record of the appeal with the parties whereby duplicate pages as well as all pages not related to the identified potential violations being appealed and/or issues for resolution were eliminated.

5. This staff document, along with a copy of all documents submitted, will be sent to the parties and opportunity given for the submittal of additions, corrections, or objections to the staff document, and the submittal of additional documents or written arguments to be included in the information distributed to the Review Board members for the hearing before the Review Board.

#### Suggested Issues for Resolution by the Review Board

1. Whether to overturn the decision of the City and the local appeals board that building permits are required for a change of tenant when the building *Use and Occupancy Classification* remains the same.

2. Whether to overturn the decision of the City and local appeals board that Laffoon must provide the City with information for plan review when the City possesses files showing the requisite information.

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3. Whether to overturn the decision of the City and local appeals board requiring information be submitted to the City beyond what the code requires.

4. Whether to overturn the decision of the City and local appeals board that the occupant load of a building or space cannot be reduced, by owner request, to be lower than the calculated occupant load in accordance with VCC Section 1004.5 *Area without fixed seating*.

5. Whether to overturn the decision of the City and local appeals board that all tenants in a building/structure shall have ready access to the overcurrent device pursuant to National Electrical Code Article 240.24 *Location in or on premises*.

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# Basic Documents

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TRB appeal at 7 East Broad Street, Richmond

List of additional information:



Please identify in the provided description if The Diner 2.0 is a restaurant or nightclub.

# CERTIFICATE OF OCCUPANCY

ISSUE DATE: 8/9/2022

**BLDC-060914-2019**

**PERMIT INFORMATION**  
 PERMIT NUMBER: 19-00000000000000000000  
 PERMIT DATE: 08/09/2019  
 PERMIT TYPE: OCCUPANCY  
 PROJECT NAME: 2021 VIRGINIA EXISTING BUILDING CODE  
 PROJECT ADDRESS: 7 EAST BROAD ST, RICHMOND, VA 23219  
 PROJECT CONTACT: [REDACTED]  
 PROJECT CONTACT PHONE: [REDACTED]  
 PROJECT CONTACT EMAIL: [REDACTED]  
 PROJECT CONTACT ADDRESS: [REDACTED]  
 PROJECT CONTACT CITY: [REDACTED]  
 PROJECT CONTACT STATE: [REDACTED]  
 PROJECT CONTACT ZIP: [REDACTED]  
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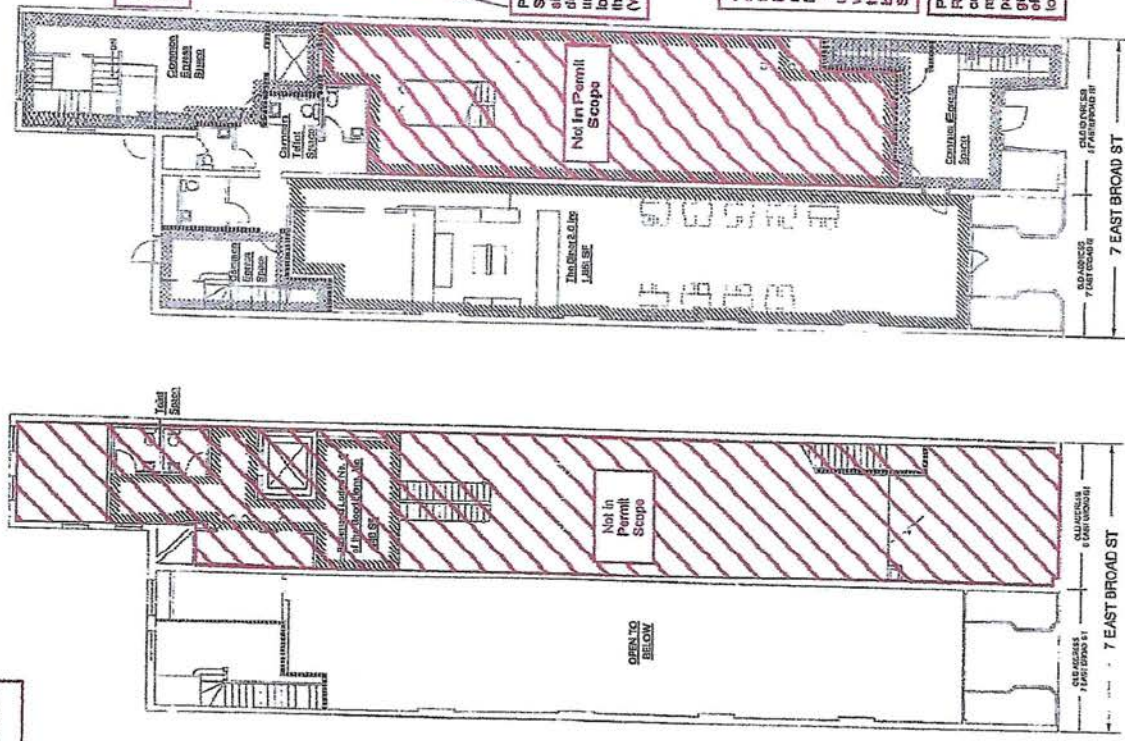
The Diner 2.0 Inc. A new tenant will occupy a portion of the previously established nightclub. The tenant will occupy the first floor of 7 E Broad Street. The basement is not included in the newly delineated club. The Diner 2.0 will share first floor bathrooms with a new tenant located on the first floor and mezzanine of 5 E Broad Street. No construction is proposed.  
 Building Code: 2021 Virginia Existing Building Code  
 Construction Type: IIB7  
 Use Classification: A-2  
 Occupant Load: 817  
 Sprinkler: Fully Protected??

Per the 11/225 e-mail, please provide a code summary specifying the building code, construction type, use classification, and sprinkler information.

Per Virginia Construction Code Section 1004.9 the occupant load shall be not less than that number determined by dividing the floor area under consideration by the occupant load factor assigned to the function of the space as set forth in Table 1004.5. (You must round up.)

As discussed in the 11/225 meeting scaled drawings are required due to the A-2 use classification and a third building permit application is required to reduce the occupant load of the basement tenant space. This application will be applied for under 5 East Broad Street. The CO will clearly state the basement tenant space combines the basements of both 5 and 7 E Broad Street.

Please note per the 11/225 meeting Rick Paul and David Alley will contact William at 804-216-2204 to meet on site to look at the electrical panels. They will follow up with the group clarifying if the basement electrical room must be accessible to all buildings.



1st Floor Plan  
 SCALE: 1/8" = 1'-0"  
 A1

Mezzanine Plan  
 SCALE: 1/8" = 1'-0"  
 A1

New Tenants at Floor 1  
 7 East Broad Street  
 RICHMOND, VA 23219  
 OCTOBER 2, 2023  
 rml architecture pllc  
 3716 mass side ave  
 richmond 23222  
 803-1174  
 rml03@ralcom

**LBBCA  
 APPEAL**

**7**



3716 moss side ave **richmond** virginia 23222 rml303@aol.com 269-1174  
architecture pllc

January 15, 2026

Ms. Michelle Dickson, Buildings Plan Examiner  
City Hall, Room 110,  
900 East Broad Street  
Richmond, VA 23219

via email and uploaded to the permit portal

REF: FOIA Request H Permits for tenant changes at 7 East Broad Street first floor

Dear Michelle,

Your review letter and your mark up notes on the plan submitted are attached. This is a FOIA request. For items 1 through 7 highlighted in green, please provide the building code section/or other document that you rely on to require for tenant change indicated on the application/drawing.

With kindest regards,

Bill Laffoon RA

Copy to: David Alley, Daniel Mouer, Rick Paul, Susan Harold

Attachments: your 7 e broad review comments with items in question noted

FOIA 12-17-2026

The Diner 2.0, a new tenant, will occupy a portion of the first floor of 7 E Broad Street. The tenant is not included in the newly delineated night club. The Diner 2.0 will share first floor bathrooms with a new tenant located on the first floor and mezzanine off E Broad Street. No construction is proposed.

Building Code: 2021 Virginia Existing Building Code

Construction type: IIB?

Use Classification: A-2

Occupant Load: 81?

Sprinkler: Full Protected??

For the 1/13/25 email, please provide a code summary specifying building code, construction type, use classification, and sprinkler information.

Please clarify in the provided description if The Diner 2.0 is a restaurant or a nightclub.

### CERTIFICATE OF OCCUPANCY

### BLDC-060914-2019

ISSUE DATE: 6/19/2022

PARCEL NUMBER: 060914-0000-0000

PROJECT DESCRIPTION: New 2nd Floor Addition, Existing 1st Floor with Current Building Code

CONTRACT ID/NO: 19-0000-0000-0000

VALUATION TYPE: Type IIB

INSPECTOR PHONE: 804-380-3000

INSPECTOR NAME: David Richmond

OWNER NAME: BLD LLC

CONTRACTOR NAME: J. J. Construction

PERMITS: 100.05, 100.06, 100.07, 100.08, 100.09, 100.10, 100.11, 100.12, 100.13, 100.14, 100.15, 100.16, 100.17, 100.18, 100.19, 100.20, 100.21, 100.22, 100.23, 100.24, 100.25, 100.26, 100.27, 100.28, 100.29, 100.30, 100.31, 100.32, 100.33, 100.34, 100.35, 100.36, 100.37, 100.38, 100.39, 100.40, 100.41, 100.42, 100.43, 100.44, 100.45, 100.46, 100.47, 100.48, 100.49, 100.50, 100.51, 100.52, 100.53, 100.54, 100.55, 100.56, 100.57, 100.58, 100.59, 100.60, 100.61, 100.62, 100.63, 100.64, 100.65, 100.66, 100.67, 100.68, 100.69, 100.70, 100.71, 100.72, 100.73, 100.74, 100.75, 100.76, 100.77, 100.78, 100.79, 100.80, 100.81, 100.82, 100.83, 100.84, 100.85, 100.86, 100.87, 100.88, 100.89, 100.90, 100.91, 100.92, 100.93, 100.94, 100.95, 100.96, 100.97, 100.98, 100.99, 100.100

SPECIAL PERMITS AND CONDITIONS: None

DATE: 6/19/2022

TIME: 10:00 AM

LOCATION: 7 E Broad Street, Richmond, VA 23219

SCALE: 1/8" = 1'-0"

DATE: 6/19/2022

TIME: 10:00 AM

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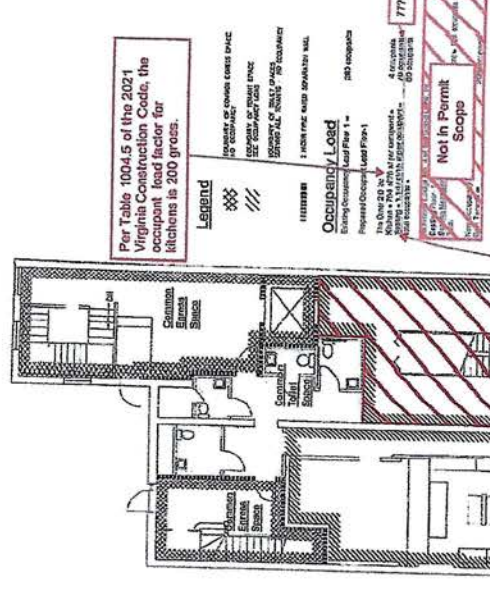
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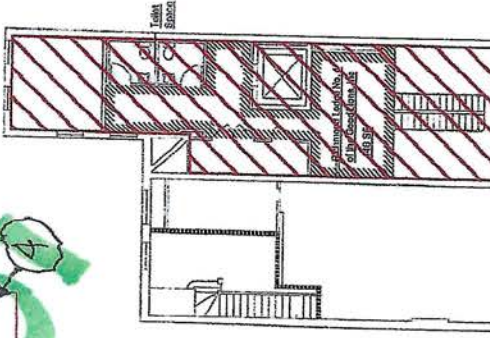


Per Virginia Construction Code Section, 1004.5 the occupant load shall be not less than that number determined by dividing the floor area under consideration by the occupant load factor assigned to the function of the space as set forth in Table 1004.3 (You must round up)

As indicated in the 1/17/25 meeting, the drawings are required due to the A-2 use classification and a third building permit application is required to reduce the occupant load of the basement tenant space. The application will be applied for under 5 East Broad Street, The CO will be applied to the basement tenant space comprising the basement of both 5 and 7 E Broad Street.

Please note per the 1/17/25 meeting, Rick Paul and David Alvey will meet on site to look at the electrical plans. They will follow up with the group clarifying if the basement electrical room must be accessible to all building tenants.

New Tenants at Floor-1  
7 East Broad Street  
RICHMOND, VA 23219  
October 2, 2025  
mri architecture pllc  
3748 mass side ave  
Richmond 23222  
781-546-6600  
mri@mriarch.com



Per Virginia Construction Code Section, 1004.5 the occupant load shall be not less than that number determined by dividing the floor area under consideration by the occupant load factor assigned to the function of the space as set forth in Table 1004.3 (You must round up)

As indicated in the 1/17/25 meeting, the drawings are required due to the A-2 use classification and a third building permit application is required to reduce the occupant load of the basement tenant space. The application will be applied for under 5 East Broad Street, The CO will be applied to the basement tenant space comprising the basement of both 5 and 7 E Broad Street.

Please note per the 1/17/25 meeting, Rick Paul and David Alvey will meet on site to look at the electrical plans. They will follow up with the group clarifying if the basement electrical room must be accessible to all building tenants.

New Tenants at Floor-1  
7 East Broad Street  
RICHMOND, VA 23219  
October 2, 2025  
mri architecture pllc  
3748 mass side ave  
Richmond 23222  
781-546-6600  
mri@mriarch.com

FOIA

## Dickson, Michelle L. - PDR

---

**From:** Dickson, Michelle L. - PDR  
**Sent:** Monday, November 3, 2025 4:14 PM  
**To:** 'RML303@aol.com'  
**Subject:** 7 E Broad Street  
**Attachments:** Application\_ForAmendment\_noplans.pdf

M

Good afternoon:

I was assigned two building applications submitted for 7 E Broad Street. I see the Certificate of Occupancy issued on 8/9/22 combining tenant spaces located at both 5 and 7 E Broad Street. Per the drawing set that generated the CO the combined tenant space occupied the first floor, the basement, and a mezzanine level. My understanding is the goal is to split the combined space into either two or three tenant spaces. The two applications submitted last month include the same drawing. The drawing shows two tenant spaces each occupying the first floor and a mezzanine. The basement is not represented. I am unclear if the basement is a third tenant space or if the combined basement is tied to what was previously known as 5 E Broad Street. I am also unclear if the goal is to reestablish both the 5 E Broad Street and 7 E Broad Street addresses.

6 Please submit a sealed, unlocked drawing set for each new tenant space. Drawings for A2 buildings must be sealed per the Code of Virginia. Please indicate on the drawings if the goal is to reestablish the 5 E Broad Street address or create two suites under the 7 E Broad Street address. If two suites are proposed, please provide the suite numbers or letters.

7 Please include plumbing calculations coordinated with the proposed occupant load. Please show where wall openings are being infilled and clearly indicate what materials are proposed for the new walls. Please call out all rated assemblies. Each drawing set should include a code summary specifying the building code, construction type, use classification, occupant load calculations, sprinkler information, etc. If the basement is not associated with either tenant space, please clarify how it will be separated from what was 5 E Broad Street and how it will be accessed once separated.

Please notify me once drawings are uploaded so I know to route them for review. If you have any questions or concerns, let me know. Please note, because construction is required to physically split up the two tenant spaces, contractor information is required. You can submit contractor information by e-mailing the attached completed form to [PDR.Permits@rva.gov](mailto:PDR.Permits@rva.gov).

Respectfully,  
Michelle



DEPARTMENT OF  
**PLANNING AND  
DEVELOPMENT  
REVIEW**

Michelle Dickson  
Building Plans Examiner  
804-646-3604  
[michelle.dickson@rva.gov](mailto:michelle.dickson@rva.gov)  
[rva.gov/planning-development-review](http://rva.gov/planning-development-review)  
900 E. Broad St., Room 110, Richmond, Va. 23219-1907



DEPARTMENT OF  
**PLANNING AND  
DEVELOPMENT  
REVIEW**

CITY OF RICHMOND  
LOCAL BOARD OF BUILDING CODE  
APPEALS (LBBCA)

Appeal No. \_\_\_\_\_

**Application for Appeal**

City of Richmond

Locality

I (we) William Laffoon of 3716 Moss Side Ave, Richmond VA 23222  
(Name) (Mailing address)

Contact Number: 804-269-1174 Email: rml303@aol.com

Respectfully request that the Local Board of Building Code Appeals review the decision made on 12-17-2025, 20   by the code official.

Description of Decision Being Appealed: \_\_\_\_\_

**Building Code Sections 108, 109 & 1004.5, NEC 240.24 and other conditions stated in the plan reviews**

Location of Property Involved: 7 East Broad Street

What is the applicant's interest in the property?

Owner

Contractor

Owner's Agent

Other (explain) Architect

Relief Sought: \_\_\_\_\_

Have the new tenants occupancy confirmed so that they can get a business license. Sanction the city for \$1,000 for the architect's fees to resolve this matter.

Attach the Decision of the Code Official and any other pertinent documents.

William Laffoon  
Signature of Applicant

See attachments

Filed at RICHMOND, Virginia, the 16 day of JAN, 2026

VIA OUR WEB PORTAL & EMAIL

Note: In order for this appeal to be processed a Non-refundable fee of \$184.00 must be paid.

TRB appeal at 7 East Broad Street, Richmond

List of additional information:



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RE: LBBCA 7 e broad

Aol/Inbox ☆

Today on AOL

Inbox 465

Unread

Starred

Drafts 8

Sent

▼ More

Views Hide

📇 Contacts

📷 Photos

📄 Documents

📧 Unsubscribe

📄 Receipts

📄 Credits

➔ Travel

Folders Hide

+ New Folder

Saved Mail

aol-junk

Archive

Notes

SCS



**Felton, Keisha L - PDR**  
From: keisha.felton@rva.gov  
To: rml303@aol.com

📧 Fri, Feb 20 at 4:05 PM ☆

Good Afternoon,

I have sent the written decision to the Chairman of the LBBCA for review and his signature of approval. As soon as I receive the signed document, I am going to email it to you and send it to you via certified mail as well. You will have 21 calendar days upon receipt by certified mail to appeal to the State Building Code Technical Review Board. If there is anything further that I can assist you with please let me know.

Thank you,

**Keisha S. Felton**

Program & Operations Supervisor  
Local Board of Building Code Appeals Secretary



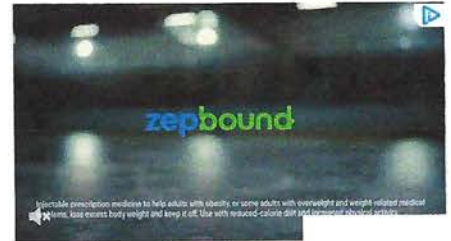
City of Richmond  
Department of Planning and Development Review  
Division of Property Maintenance Code Enforcement

Desk- 804.646.5898  
Cell- 804.963.2288  
Office-804.646.6398  
Fax- 804.646.0798



**keisha.felton@rva.gov** 🔍

keisha.felton@rva.gov  
+ Add to contacts



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## Local Board of Building Code Appeals Written Decision

The Local Board of Building Code Appeals (LBBCA) is duly appointed to hear and resolve disputes arising out of enforcement under the Virginia Statewide Building Code (USBC), § 36-105 of the Code of Virginia.

Appeal No. B-01-2026-173897-2025      Date of Hearing: Feb 18, 2026

IN RE: 7 East Broad Street      v. City of Richmond

The appeal is hereby Upheld, for the reasons set out below:

The Local Board of Building Code Appeals finds that the intent of the code was applied and enforced properly by the code official.

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The vote was: Uphold 4 Reverse 0 Modify 0

Signature:  Date: 2-23-2026  
(Chair of Local Board of Building Code Appeals)

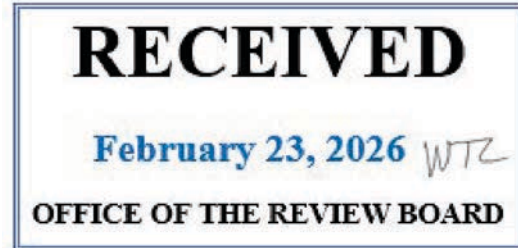
Note: Any person who was party to the appeal may appeal to the State Building Code Technical Review Board by submitting an application to such board within 21 calendar days upon receipt by certified mail of this resolution. Application forms are available from the Office of the State Review Board.  
<https://www.dhcd.virginia.gov/sites/default/files/Docx/sbctrb/file-appeal/appeal-application-may.pdf>. Or call (804) 371-7150 for more information.

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
State Building Codes Office and Office of the State Technical Review Board  
Main Street Centre, 600 E. Main Street, Suite 300, Richmond, Virginia 23219  
Tel: (804) 371-7150, Fax: (804) 371-7092, Email: sbco@dhcd.virginia.gov

APPLICATION FOR ADMINISTRATIVE APPEAL

Regulation Serving as Basis of Appeal (check one):

- Uniform Statewide Building Code  
     Virginia Construction Code  
     Virginia Existing Building Code  
     Virginia Maintenance Code
- Statewide Fire Prevention Code
- Industrialized Building Safety Regulations
- Amusement Device Regulations



Appealing Party Information (name, address, telephone):  
William Laffoon, RA  
3716 Moss Side Avenue  
Richmond, Virginia 23222  
804-269-1174      [rml303@aol.com](mailto:rml303@aol.com)

Opposing Party Information (name, address, telephone):  
City of Richmond, David Alley, Building Commissioner  
Room 110, City Hall, 900 East Broad Street  
Richmond, Virginia 23219  
804-513-6939      [David.Alley@RVA.gov](mailto:David.Alley@RVA.gov)

Additional Information (required by the applicable code to be submitted with this application)

- Copy of enforcement decision being appealed  
 Copy of the decision of local government appeals board (if applicable)

See attachment for additional information

Additional Information (to be submitted with this application)

- Statement of specific relief sought

See attachment for additional information

CERTIFICATE OF SERVICE

I hereby certify that on the 20 day of February, 2026, a completed copy of this application, including the additional information required above, was either mailed, hand delivered, emailed or sent by facsimile to the Office of the State Technical Review Board and to all opposing parties listed.

**Note:** This application must be received by the Office of the State Technical Review Board within five (5) working days of the date on the above certificate of service for that date to be considered as the filing date of the appeal. If not received within five (5) working days, the date this application is actually received by the Office of the Review Board will be considered to be the filing date.

Signature of Applicant: William Laffoon

Name of Applicant: William Laffoon  
(please print or type)

TRB appeal at 7 East Broad Street, Richmond

List of additional information:



To: [SBCO@dhcd.virginia.gov](mailto:SBCO@dhcd.virginia.gov)

From: William Laffoon

REF: TRB appeal 7 E Broad Street Amend Relief Requested

May 20, 2026

## **RELIEF REQUESTED**

### **Preface**

The applicant/appealing party made application to the code official for confirmation of building occupancy use for 2 new tenants to take over existing occupied space at the first floor to get a business license (leaving the existing tenant with a CO to remain in the basement) where:

- (1) there is no change of use
- (2) there is no increase of intensity of the use
- (3) there is no increase in hazard, and safety is improved with reduced occupancy
- (4) there is no work called for
- (5) no work is required

The code official rejected the 2 CO applications for reasons that include:

- (1) VCC 1004.5 says the occupant load shall not be less than the occupant load calculation from Table 1004.5
- (2) says a building permit is required for the existing tenant with a CO to remain in the basement with no valid VCC code reference
- (3) says a building permit is required for the 2 new tenants with no valid VCC code reference
- (4) says a design professional seal is required with no valid VCC code reference

For the **ERRORS** made by the code official and reasons below, Bill Laffoon, the appealing party asks that the Virginia Building Technical Review Board:

REVERSE the rejection above of (1) occupancy load question as:

- (a) the existing basement tenant has an existing CO with reduced occupancy that was required and approved by the building official and permitted by 2015 VCC 1004.1.2 exception and by 2021 VCC 1004.5 exception.
- (b) the existing tenant to remain in the basement, if the first floor is vacated, will have an occupancy load of 232 occupants as evidenced by the approved building permit for the building.
- (c) the proposed tenant "Good Lion" has a calculated occupancy load of 129 which is the same as the proposed 129 occupants. There is no decrease.
- (d) the proposed tenant "Diner 2.0" has a calculated occupancy load of 81 which is the same as the proposed 81 occupants. There is no decrease.
- (e) the foundation/purpose of the existing building code at 2015 VCC 101.3 Intent says .....as the intent of the code is to provide flexibility to permit use.... to safeguard the public health, safety and welfare. To reduce the allowable occupancy improves safety so there would be no reason for the building official to refuse reduced occupancy in this project. That would improve public health, safety and welfare.

REVERSE the rejection above of (2) a building permit requirement for an existing tenant with a valid CO to remain in the basement as:

- (a) there is no work required
- (b) there is no work intended
- (c) there is no change of occupancy
- (d) there is no increase in intensity of the use
- (e) the occupancy load for the basement is the same as on the permit approved under the 2015 existing building code.
- (f) there is no code provision that prevents a tenant from reducing their rental area that would cause a building permit to be required.

REVERSE the rejection above of (3) a building permit requirement for 2 new tenants at the first floor as:

- (a) there is no work required
- (b) there is no work intended
- (c) there is no change of occupancy
- (d) there is no increase in intensity of the use
- (e) there is a reduction in the occupancy load for the first floor that improves the public health, safety and welfare

REVERSE the rejection above of (4) a design professional seal for permits as:

- (a) there is no building permit required that would require a design professional seal.

REVERSE the rejection above of (2) (3) (4) for building permit requirements and a design professional seal for permits as:

**See Code of Virginia 36-119.1 Existing buildings.**

*This chapter shall not supersede provisions of the Fire Prevention Code promulgated by the Board under § 27-97, that prescribe standards to be complied with in existing buildings or structures, provided that such regulations shall not impose requirements that are more restrictive than those of the Uniform Statewide Building Code under which the buildings or structures were constructed. Subsequent alteration, enlargement, rehabilitation, repair, or conversion of the occupancy classification of such buildings and structures shall be subject to the construction and rehabilitation provisions of the Building Code.*

The code official is imposing a requirement more restrictive than the Building Code, and Virginia law prohibits that.

REVERSE the rejection above of (2) (3) (4) for building permit requirements and a design professional seal for permits as:

§ 36-99.01. Provisions related to rehabilitation of existing buildings.

A. *The General Assembly hereby declares that (i) there is an urgent need to improve the housing conditions of low and moderate income individuals and families, many of whom live in substandard housing, particularly in the older cities of the Commonwealth; (ii) there are large numbers of older residential buildings in the Commonwealth, both occupied and vacant, which are in urgent need of rehabilitation and which must be rehabilitated if the State's citizens are to be housed in decent, sound, and sanitary conditions; and (iii) the application of those building code requirements currently in force to housing rehabilitation has sometimes led to the imposition of costly and time-consuming requirements that result in a significant reduction in the amount of rehabilitation activity taking place.*

B. *The General Assembly further declares that (i) there is an urgent need to improve the existing condition of many of the Commonwealth's stock of commercial properties, particularly in older cities; (ii) there are large numbers of older commercial buildings in the Commonwealth, both occupied and vacant, that are in urgent need of rehabilitation and that must be rehabilitated if the citizens of the Commonwealth are to be provided with decent, sound and sanitary work spaces; and (iii) the application of the existing building code to such rehabilitation has sometimes led to the imposition of costly and time-consuming requirements that result in a significant reduction in the amount of rehabilitation activity taking place.*

C. *The Board is hereby directed and empowered to make such changes as are necessary to fulfill the intent of the General Assembly as expressed in subsections A and B, including, but not limited to amendments to the Building Code and adequate training of building officials, enforcement personnel, contractors, and design professionals throughout the Commonwealth.*

The code official is imposing a requirement that is contrary to the Building Code, and Virginia law prohibits that.

REVERSE the rejection above of (1) (2) (3) (4) for occupancy, building permit requirements and a design professional seal for permits as:

- (a) The code official's review references the 2021 building code and that is in error as the 2015 building code is the proper applicable permit.
- (b) This is an existing building and occupancy was approved and permitted under the 2015 existing building code.
- (c) See 2015 existing building code 101.4.2 **commentary attached** if a permit was required
- (d) See 2021 existing building code 501.2 and 601, if a permit was required
- (e) Both are clear that if work/a permit was required the work/permit would have to comply with the building code used to comply when the building was constructed/rehabilitated.

DECLARE that the city process the applications for new tenants occupancy without the requirement for a building permit or design professional seal, and without further imposition of costly and time consuming requirements that the city is not authorized to enforce.

GRANT such and other relief as justice and equity may require, including delays in loss of rent for tenants and the cost to appeal arbitrary code enforcement.

Thank you for your consideration, Bill Laffoon, Appealing Party

Documents Submitted  
by  
William Laffoon

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TRB appeal at 7 East Broad Street, Richmond

### List of additional information:

- 1- Plans submitted to city for confirmation of building occupancy for business license  
CO Application for new tenants (plans are colorized with H permit application)
- 2-Copy of enforcement decision being appealed
- 3- Copy of appeal made to City Richmond LBBCA
- 4- Copy of additional Information for appeal to Richmond LBBCA
- 5- Copy of statement read at Richmond LBBCA hearing
- 6- Copy of the decision of Richmond LBBCA
- 7- Statement of specific relief sought

TRB appeal at 7 East Broad Street, Richmond

List of additional information:

1- Plans submitted to city for confirmation of building occupancy for business license  
CO Application for new tenants (plans are colorized with H permit application)



TRB appeal at 7 East Broad Street, Richmond

List of additional information:

3- Copy of appeal made to City Richmond LBBCA



3716 moss side ave **richmond** virginia 23222 rml303@aol.com 269-1174  
architecture pllc

January 16, 2026

Ms. Keisha Felton, Secretary  
City of Richmond, Local Board of Building Code Appeals LBBCA  
900 East Broad Street  
Richmond, VA 23219 via email and online portal

REF: Application for Appeal to get tenant changes at 7 East Broad Street

Dear Ms. Felton,

I, William Laffoon, of 3716 Moss Side Avenue, Richmond, VA 23222 respectfully request that the Local Board of Building Code Appeals review the decision laid out in the attached December 17, 2025 review comments from the city. This letter and application for appeal has been uploaded to the city online portal. Please upload the invoice so that the fee can be paid.

Background: I am an architect working for the owner, BAP LLC, of the building at 7 E Broad Street. The owner has 2 potential tenants for the first floor. The owner asked me to get documentation that the proposed tenants could get occupancy certificates for business licenses to replace the existing first floor tenant. The first floor has a CO for a nightclub. The existing tenant and the proposed tenants are nightclub use. There is no change in occupancy.

I was directed over the phone by the city building inspector Rick Paul to apply for an H permit (Certificate of Occupancy Application).

The H permit application for each tenant was applied for. See Attachment 1.

The intake review requested revision to verify names/addresses/suite designation. Revised drawings were provided. See Attachment 2.

The intake review advised that the revised drawings provided clarity and were acceptable. Further the reviewer stated that applications would be processed as building permits, per Rick Paul. See Attachment 3.

There was plan review confusion with a meeting for clarification, meeting notes and finally the plans were marked up and noted by the plan reviewer. See Attachment 4.

Items numbered on the review plan:

Error Item-1. The reviewer says a building permit is required. (three permits, one for each of the 2 new tenants, and one for the tenant remaining that occupies the basement).

No code section is referenced. Section 109.4 requires the code official to notify in writing the reasons for adverse determinations. The reviewer does not say why, does not reference the code section to support the review comment. A FOIA request has been made to see the code/documents the reviewer relies on.

Error Item-2. There is no work called for and no work needed for tenant changes with no change in occupancy. Section 108 lists conditions where building permits are required. There is no condition here that requires one or more building permits.

Error Item-3. The reviewer says 1004.5 means that the occupant load cannot be less than the floor area divided by the occupant load factor, without exception, referring to number of toilets. The reviewer's interpretation is wrong. The code is clear that 1004 is for "determining the means of egress requirements".

In this existing building, plans approved by the city show that the egress capacity for each of the tenants exceeds what the allowable area requires for each tenant. This is a benefit of excess capacity for the number of occupants, There is no reason why the occupant load cannot be reduced further. There are city records showing this is an approved condition.

Error Item-4. The reviewer asks for information that is already shown on the drawings and/or included in the permit application.

Error Item-5. The reviewer does not reference a code section but based on comments from Rick Paul saying that each occupant shall have access to overcurrent devices. I assume the reference is to NEC 240.24. This is a multiple-occupancy building under the owners building management personnel, and this is the exception to "each occupant" requirement.

Other Error Item-6

**See Code of Virginia 36-119.1 Existing buildings.**

*This chapter shall not supersede provisions of the Fire Prevention Code promulgated by the Board under § 27-97, that prescribe standards to be complied with in existing buildings or structures, provided that such regulations shall not impose requirements that are more restrictive than those of the Uniform Statewide Building Code under which the buildings or structures were constructed. Subsequent alteration, enlargement, rehabilitation, repair, or conversion of the occupancy classification of such buildings and structures shall be subject to the construction and rehabilitation provisions of the Building Code.*

The code official is imposing a requirement more restrictive than the Building Code, and Virginia law prohibits that.

Other Error Item-7

See Section 102 Existing Building Code, Purpose and Code of Virginia 36-99.01

The conditions that the code official requires contradict the purpose of the building code and Code of Virginia.

Please upload the invoice so it can be paid.

With kindest regards,



Bill Laffoon RA

Copy to: David Alley, Daniel Mouer, Rick Paul, Susan Harold

Attachments: 1,2,3,4



DEPARTMENT OF PLANNING AND DEVELOPMENT REVIEW  
BUREAU OF PERMITS AND INSPECTION  
ROOM 110 CITY HALL  
900 E. BROAD STREET  
RICHMOND, VIRGINIA 23219  
PHONE (804) 646-4169

# CERTIFICATE OF OCCUPANCY APPLICATION

<https://www.rva.gov/planning-development-review/permits-and-inspections>

PERMIT NO.  
**H**

BUILDING PERMIT NO.  
**B**

TRACK 1 | TRACK 2

*101*

**THIS IS AN APPLICATION ONLY. IT IS NOT AUTHORIZATION TO START ANY WORK. NO WORK SHALL START UNTIL A PERMIT IS POSTED ON THE JOB SITE.**

**OWNERS INFORMATION**

1. JOB/PROPERTY ADDRESS (STREET & NUMBER)  
**7 e broad street**

2. FLOOR/ROOM NUMBER  
**floor 1 east side see attached floor plan**

3. PROPERTY OWNER'S NAME (PRINT CLEARLY)  
**bap llc**

4. PROPERTY OWNER'S ADDRESS/ZIP CODE  
**3300 norfolk st, rva 23230**

5. PROPERTY OWNER'S DAYTIME TELEPHONE NUMBER  
**804-218-2204**

6. DESCRIBE CURRENT STRUCTURE USE (IN DETAIL) IF CURRENTLY VACANT, INDICATE LAST USE & YEAR IS WAS LAST USED.  
**existing A2A nightclub CO in name od owner = bap llc**

7. DESCRIBE PROPOSED STRUCTURE USE (IN DETAIL)  
**same use with new tenant A2A nightclub new tenant = The Diner 2.0 Inc.**

**OFFICE USE ONLY (CHECK ONE)**

8. OWNERSHIP CHANGE  TENANT CHANGE  PARTIAL C.O.  TEMP C.O.  OTHER

**RESIDENTIAL USES**

ONE FAMILY  
 TWO FAMILY  
 THREE OR MORE FAMILY  
NO. OF UNITS \_\_\_\_\_  
 LODGING HOUSE  
NO. OF ROOMS \_\_\_\_\_  
NO. OF PERSONS \_\_\_\_\_  
 NURSING HOME  
NO. OF BEDS \_\_\_\_\_  
 ADULT CARE RESIDENCE  
NO. OF ROOMS \_\_\_\_\_  
NO. OF PERSONS \_\_\_\_\_  
 GROUP HOMES  
NO. OF PERSONS \_\_\_\_\_  
NO. OF COUNSELORS \_\_\_\_\_  
 OTHER (SPECIFY): \_\_\_\_\_

**COMMERCIAL INDUSTRIAL USES**

RESTAURANT, SIT-DOWN  
 RESTAURANT, DRIVE-THRU/TAKE-OUT  
 NIGHT CLUB  
 RETAIL STORE  
 GROCERY/CONVENIENCE STORE  
 FURNITURE STORE  
 HARDWARE OR APPLIANCE STORE  
 SHOPPING CENTER  
 CLINIC (MEDICAL/DENTAL)  
 BANK  
 BEAUTY/BARBER SHOP  
 LAUNDRY/DRY CLEANER/LAUNDROMAT  
 REPAIR SHOP  
WHAT TYPE \_\_\_\_\_  
 OFFICE  
 CHURCH  
NO. OF SEATS \_\_\_\_\_

DAY NURSERY  
NO. OF CHILDREN \_\_\_\_\_  
NO. OF STAFF \_\_\_\_\_  
 ADULT DAY CARE  
 SHELTER/SOCIAL SERVICE DELIVERY  
NO. OF ROOMS \_\_\_\_\_  
NO. OF PERSONS \_\_\_\_\_  
 SCHOOL  
 SERVICE STATION  
 MOTOR VEHICLE REPAIR/SALES  
 MANUFACTURING FACILITY  
NO. OF EMPLOYEES \_\_\_\_\_  
 WAREHOUSE/STORAGE FACILITY  
NO. OF EMPLOYEES \_\_\_\_\_  
NO. OF COMPANY VEHICLES \_\_\_\_\_  
 OTHER (SPECIFY): \_\_\_\_\_

**PROPERTY INFORMATION**

9. SQUARE FOOTAGE TO BE USED \_\_\_\_\_ SQUARE FEET

10. DESIRED OCCUPANT LOAD PER FLOOR \_\_\_\_\_

11. ARE FLOOR PLANS ATTACHED?  
 YES  NO

12. NO. OF ON-SITE PARKING SPACES \_\_\_\_\_

13. ARE PARKING SPACES LEASED OFF-SITE?  
 YES  NO

14. IS A SITE PLAN ATTACHED?  
 YES  NO

15. IF YES, ATTACH LEASE & SITE PLAN \_\_\_\_\_ PARKING SPACES

**CONTACT INFORMATION**

16. APPLICANT'S NAME (PRINT CLEARLY)  
**William Pylaris**

17. BUSINESS AND/OR TRADE NAME  
**The Diner 2.0 Inc.**

18. APPLICANT'S ADDRESS  
**3300 norfolk st, rva**

19. APPLICANT'S DAYTIME PHONE NUMBER  
**804-218-2204**

20. APPLICANT'S FAX NUMBER \_\_\_\_\_

21. APPLICANT'S EMAIL \_\_\_\_\_

22. APPLICANT'S SIGNATURE *William Pylaris*

23. CONTACT PERSON (IF DIFFERENT THAN APPLICANT) \_\_\_\_\_

24. CONTACT PERSON DAYTIME PHONE NUMBER \_\_\_\_\_

25. CONTACT PERSON ADDRESS  
**3300 norfolk st, rva**

26. DO YOU WANT TO BE CALLED TO PICK UP PERMIT WHEN ISSUED?  
 YES  NO

NAME \_\_\_\_\_ PHONE NUMBER \_\_\_\_\_

**OFFICE USE ONLY**

ARTS DISTRICT  YES  NO

HISTORICAL DISTRICT  YES  NO

VIOLATION ON PROPERTY  YES  NO

VIOLATION NUMBER \_\_\_\_\_

CORRESPONDING CODE \_\_\_\_\_

DELINQUENT TAXES DUE?  YES  NO

AMOUNT OWED \$ \_\_\_\_\_

DATE PAID \_\_\_\_\_

EXISTING USE GROUP \_\_\_\_\_

PROPOSED USE GROUP \_\_\_\_\_

PERMIT FEE \_\_\_\_\_

FEE RECEIVED \_\_\_\_\_

RECEIPT NO. \_\_\_\_\_

CASH  CHECK  CREDIT CARD

CHESAPEAKE BAY PROTECTION AREA?  YES  NO

CHESAPEAKE BAY MANAGEMENT AREA?  YES  NO

APPLICATION APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

APPLICATION DISAPPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

CONDITIONS \_\_\_\_\_

REASON FOR DENIAL \_\_\_\_\_





# CERTIFICATE OF OCCUPANCY APPLICATION

PERMIT NO. <b>H</b>	TRACK TRACK 2
QUALIFIER PERMIT NO. <b>B</b>	

1-3

<https://www.rva.gov/planning-development-review/permits-and-inspections>

**THIS IS AN APPLICATION ONLY. IT IS NOT AUTHORIZATION TO START ANY WORK. NO WORK SHALL START UNTIL A PERMIT IS POSTED ON THE JOB SITE.**

**OWNER'S INFORMATION**

1. JOB/PROPERTY ADDRESS (STREET & NUMBER)  
**7 e broad street**

2. FLOOR/ROOM NUMBER  
**floor 1 west side (old 5 e broad st address)**

3. PROPERTY OWNER'S NAME (PRINT CLEARLY)  
**bap llc**

4. PROPERTY OWNER'S ADDRESS/ZIP CODE  
**3300 norfolk st, rva 23230**

5. PROPERTY OWNER'S DAYTIME TELEPHONE NUMBER  
**804-218-2204**

6. DESCRIBE CURRENT STRUCTURE USE (IN DETAIL) IF CURRENTLY VACANT, INDICATE LAST USE & YEAR IS WAS LAST USED.  
**existing A2A nightclub CO in name of the owner = bap llc**

7. DESCRIBE PROPOSED STRUCTURE USE (IN DETAIL)  
**same use A2A nightclub new tenant = Richmond Lodge No. 4 of the Good Lions, Inc.**

**OFFICE USE ONLY (CHECK ONE)**

OWNERSHIP CHANGE  
 TENANT CHANGE  
 PARTIAL C.O.  
 TEMP C.O.  
 OTHER

**RESIDENTIAL USES**

ONE FAMILY  
 TWO FAMILY  
 THREE OR MORE FAMILY  
NO. OF UNITS \_\_\_\_\_  
 LODGING HOUSE  
NO. OF ROOMS \_\_\_\_\_  
NO. OF PERSONS \_\_\_\_\_  
 NURSING HOME  
NO. OF BEDS \_\_\_\_\_  
 ADULT CARE RESIDENCE  
NO. OF ROOMS \_\_\_\_\_  
NO. OF PERSONS \_\_\_\_\_  
 GROUP HOMES  
NO. OF PERSONS \_\_\_\_\_  
NO. OF COUNSELORS \_\_\_\_\_  
 OTHER (SPECIFY): \_\_\_\_\_

**COMMERCIAL INDUSTRIAL USES**

RESTAURANT, SIT-DOWN  
 RESTAURANT, DRIVE-THRU/TAKE-OUT  
 NIGHT CLUB  
 RETAIL STORE  
 GROCERY/CONVENIENCE STORE  
 FURNITURE STORE  
 HARDWARE OR APPLIANCE STORE  
 SHOPPING CENTER  
 CLINIC (MEDICAL/DENTAL)  
 BANK  
 BEAUTY/BARBER SHOP  
 LAUNDRY/DRY CLEANER/LAUNDROMAT  
 REPAIR SHOP  
WHAT TYPE \_\_\_\_\_  
 OFFICE  
 CHURCH  
NO. OF SEATS \_\_\_\_\_

DAY NURSERY  
NO. OF CHILDREN \_\_\_\_\_  
NO. OF STAFF \_\_\_\_\_  
 ADULT DAY CARE  
 SHELTER/SOCIAL SERVICE DELIVERY  
NO. OF ROOMS \_\_\_\_\_  
NO. OF PERSONS \_\_\_\_\_  
 SCHOOL  
 SERVICE STATION  
 MOTOR VEHICLE REPAIR/SALES  
 MANUFACTURING FACILITY  
NO. OF EMPLOYEES \_\_\_\_\_  
 WAREHOUSE/STORAGE FACILITY  
NO. OF EMPLOYEES \_\_\_\_\_  
NO. OF COMPANY VEHICLES \_\_\_\_\_  
 OTHER (SPECIFY): \_\_\_\_\_

8. SQUARE FOOTAGE TO BE USED  
**1,973 SQUARE FEET**

9. DESIRED OCCUPANT LOAD PER FLOOR  
**128**

10. ARE FLOOR PLANS ATTACHED?  
 YES  NO

11. NO. OF ON-SITE PARKING SPACES  
**0 PARKING SPACES**

12. ARE PARKING SPACES LEASED OFF-SITE?  
 YES  NO  
IF YES, ATTACH LEASE & SITE PLAN

**CONTACT INFORMATION**

13. APPLICANT'S NAME (PRINT CLEARLY)  
**Troy Poteet**

14. BUSINESS AND/OR TRADE NAME  
**Richmond Lodge No. 4 of the Good Lions, Inc.**

15. APPLICANT'S ADDRESS  
**5 e broad st, richmond 23219**

16. APPLICANT'S DAYTIME PHONE NUMBER  
**314-941-3923**

17. APPLICANT'S FAX NUMBER

18. APPLICANT'S EMAIL  
**troypurepleasureclub@gmail.com**

19. APPLICANT'S SIGNATURE  
*Troy Poteet*

20. CONTACT PERSON (IF DIFFERENT THAN APPLICANT)

21. CONTACT PERSON DAYTIME PHONE NUMBER  
**314-941-3923**

22. CONTACT PERSON ADDRESS  
**5 e broad st, richmond 23219**

23. DO YOU WANT TO BE CALLED TO PICK UP PERMIT WHEN ISSUED?  
 YES  NO  
NAME \_\_\_\_\_ PHONE NUMBER \_\_\_\_\_

**ARTS DISTRICT**  YES  NO

**HISTORICAL DISTRICT**  YES  NO

**VIOLATION ON PROPERTY**  YES  NO

**VIOLATION NUMBER** \_\_\_\_\_

**CORRESPONDING CODE** \_\_\_\_\_

**DELINQUENT TAXES & FEES**  YES  NO

**AMOUNT OWED \$** \_\_\_\_\_

**DATE PAID** \_\_\_\_\_

**EXISTING USE GROUP** \_\_\_\_\_

**PROPOSED USE GROUP** \_\_\_\_\_

**PERMIT FEE** \_\_\_\_\_

**PER RECEIVED** \_\_\_\_\_

**RECEIPT NO.** \_\_\_\_\_

CASH  CHECK  CREDIT CARD

**CHESAPEAKE BAY PROTECTION AREA?**  YES  NO

**CHESAPEAKE BAY MANAGEMENT AREA?**  YES  NO

**APPLICATION APPROVED BY** \_\_\_\_\_ **DATE** \_\_\_\_\_

**APPLICATION DISAPPROVED BY** \_\_\_\_\_ **DATE** \_\_\_\_\_

**CONDITIONS** \_\_\_\_\_

**CODE ENFORCEMENT ADMINISTRATOR** \_\_\_\_\_

**REASON FOR DENIAL** \_\_\_\_\_

**CODE ENFORCEMENT ADMINISTRATOR** \_\_\_\_\_

~~10/21~~

Eric T. - PDR Martin Add keywords

24/7 Help

rml303

Home

3

Compose

Back Move Delete Spam More

Re: 7 E Broad St Richmond, VA 23219 - Two CO requests REVISED DWGS UPLOADED

Today on AOL

- Inbox 594
- Unread
- Starred
- Drafts 4
- Sent
- Spam
- Trash
- Less
- Views Hide
- Contacts
- Photos
- Documents
- Unsubscribe
- Receipts
- Credits
- Travel

- Folders Hide
- New Folder
- Saved Mail
- aol-junk
- Archive
- Notes
- SCS

**R** rml303@aol.com  
 From: rml303@aol.com  
 To: Martin, Eric T. - PDR  
 Cc: Paquette, Karen - PDR, IV. Rick F. - PDR Paul  
 Tue, Oct 21 at 12:01 PM

Good morning  
 revised dwgs are attached and have been uploaded to the portal  
 to show suite 101 and suite 102 for clarity  
 let me know if there are any questions  
 thanks, bill

On Friday, October 10, 2025 at 11:33:22 AM EDT, Martin, Eric T. - PDR <eric.martin@rva.gov> wrote:

Good morning Bill,

We are going to process your applications as Tenant Fitup Building Permits to obtain the CO's, per Rick Paul. I will set up the applications in your portal account for you.

I need to know:

-Is there construction being done?

-Do both sides have access to the electrical panel/shutoff even if the other side is closed?

-Can the sides be labelled as "Suite 1/Suite2" rather than "east/vs west" for clarity?

Please address these questions.



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TRB appeal at 7 East Broad Street, Richmond

List of additional information:

4- Copy of additional Information for appeal to Richmond LBBCA



3716 moss side ave **richmond** virginia 23222 rml303@aol.com 269-1174  
architecture pllc

February 4, 2026

Ms. Keisha Felton, Secretary  
City of Richmond, Local Board of Building Code Appeals LBBCA  
900 East Broad Street  
Richmond, VA 23219 via email

REF: Additional Information in the Application for Appeal at 7 East Broad Street

Dear Ms. Felton,

Please include this additional information to be considered in the appeal.

In 2017, a building permit was issued for remodeling of an existing A2 nightclub at 7 East Broad Street. See ATTACHMENT A – Permit BLDC-020000-2017.

That permit expired before the work was completed. As the code cycle had changed, the code official required a new permit, and it was applied for. The plumbing plan reviewer found an insufficient number of plumbing fixtures for the egress occupancy. See ATTACHMENT B – Means of Egress Occupancy  
See ATTACHMENT C – Plumbing Fixture Counts

Means of Egress was for 521 occupants.  
Plumbing Fixtures were good for 520 occupants.

Significant plumbing work had been completed. The plumbing reviewer offered an option to reduce the occupant load to 480 for the basement and first floor as a tradeoff to adding more plumbing fixtures. The owner agreed to that option.

See ATTACHMENT D – 3 pages emails between Owens/Ostergren/Laffoon/Woodall

A building permit was issued 10-18-2019 to finish the A2 nightclub work under the previous permit with the occupancy load of 480 for the basement and first floor.

See ATTACHMENT E – Permit BLDC-060914-2019.

The work was completed and a certificate of occupancy was issued 8-9-2022. The A2 nightclub had an occupancy load of 480 for the basement and first floor.

See ATTACHMENT F – Certificate of Occupancy BLDC-060914-2019.

A building permit was issued 1-23-2023 for a kitchen at the first floor to serve the A2 nightclub. See ATTACHMENT G – Permit BLDC-113523-2023.

A building permit was issued 5-20-2025 for beverage area cabinets and equipment adjacent to the kitchen. See ATTACHMENT H – Permit BLDC-149247-2025.

The owner has 2 new potential A2 nightclub tenants to occupy the first floor, while the current tenant will remain in the basement and give up the first floor. The owner asked about the proposed tenants getting confirmation of nightclub use for business licenses.

I was directed by the code official to apply for H permits with a drawing of the tenant areas.

See ATTACHMENT I – The H permits and drawings showing tenant areas. The egress occupancy information is shown on the drawings.

First Floor Diner tenant Means of Egress is for 80 occupants  
First Floor Good Lions tenant Means of Egress is for 128 occupants  
First Floor Total means of egress is for 208 occupants

See ATTACHMENT J – Means of Egress Occupancy Floor 1 showing sufficient capacity for the 208 occupants.

Shared toilets for First Floor tenants 6 WC X 40 = 240 occupants

There is sufficient egress capacity and toilets for the 2 proposed tenants and there is no reason to deny the A2 nightclub use.

While I was directed to the H permit, in hindsight, I am now told that the proper document was a CZC, certificate of zoning conformance document.

The reviewer and code officials say building permits/inspections/etc. are required.

The building code does not say a building permit is required when you have a tenant change with no change of occupancy, and no work to be done. The Code Official has no authority to require a building permit (including the other things) for that.

**See Code Of Virginia 36-119.1 Existing buildings.**

This chapter shall not supersede provisions of the Fire Prevention Code promulgated by the Board under § [27-97](#), that prescribe standards to be complied with in existing buildings or structures, provided that such regulations shall not impose requirements that are more restrictive than those of the Uniform Statewide Building Code under which the buildings or structures were constructed. Subsequent alteration, enlargement, rehabilitation, repair, or conversion of the occupancy classification of such buildings and structures shall be subject to the construction and rehabilitation provisions of the Building Code.

The Code Official is imposing a requirement more restrictive than the Building Code, and Virginia law prohibits that.

See ATTACHMENT K – VEBC Section 102

The conditions that the code official requires contradict the purpose of the building code and the code of Virginia.

See ATTACHMENT L – 3 pages FOIA request dated 1-15-2026 for the documents showing code sections or other valid requirements to support the mark up notes and requirements you state for a new tenant to occupy space when there is no change in occupancy classification. There has been no reply to the foia.

The code officials failure to reply is a violation of Virginia FOIA. Section 109.4 of the building code says if the plans do not comply with the provisions of the code, the applicant shall be notified in writing the reasons. The code official/reviewer fails to identify the code provisions not met.

With kindest regards,



Bill Laffoon RA

Attachments: noted above



CITY OF RICHMOND  
DEPARTMENT OF PLANNING  
& DEVELOPMENT REVIEW  
BUREAU OF PERMITS  
& INSPECTIONS

# BUILDING (C) PERMIT

[PDRPermitsAndInspections@Richmondgov.com](mailto:PDRPermitsAndInspections@Richmondgov.com)

To Request an inspection, call 311

ISSUE DATE: 6/28/2017

## BLDC-020000-2017

**SITE ADDRESS:** 7 E Broad St  
Richmond, VA 23219

**PARCEL NUMBER:** W0000084002

**PERMIT DESCRIPTION:** HEAVY REMODEL OF NIGHTCLUB - EXTERIOR REPAIR-INTERIOR ALTERATIONS AT BASEMENT & 1ST FL & roof (Permit originally issued 11/12/2009)-scope from B09020519- this permit to replace B09020519- Phase 1.

**TYPE OF IMPROVEMENT:** Alter/Remodel Heavy  
**USE GROUP:** A2A - Nightclub

**COST OF WORK:** \$368,449.00  
**CONSTRUCTION TYPE:** Type IIIB  
(Noncombustible/Combustible)

**INSPECTOR NAME:** David Alley  
**INSPECTOR EMAIL ADDRESS:** David.Alley@richmondgov.com

**INSPECTOR PHONE:** 804-513-6939

**PERMIT CONTACT INFORMATION**

**OWNER NAME:** Bap LLC  
**OWNER PHONE:**

**CONTRACTOR NAME:** owner - contractor  
**CONTRACTOR PHONE:** 00000000000000

**CONTRACTOR LICENSE NUMBER:** 9999999911

**FEE INFORMATION**

Permit Fee	\$2,762.92	Plan Review	\$325.05
Administrative Handling	\$162.53	State Levy	\$65.01

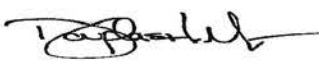
**TOTAL FEES** \$3,315.51

**SPECIAL TERMS AND CONDITIONS**  
Building Complete Interior Rehabilitation of Basement and 1st Floor as Nightclub per Attached Architect's Plans... Work Begun Under B09020519... IEBC 2012 Performance Compliance Method

**DPW/RW:**  
WISP required to barricade sidewalk on East Broad Street at front of building and alley at rear of building to perform exterior repairs.

Planning: Approved per CAR review on 5/23/17.

**NOTICE**  
This approval does not include any review of the mechanical, electrical, plumbing or other trade plans. This approval does not authorize any MEP work to begin.

  
Douglas H. Murrow, AIA, CBO, CBMO  
Commissioner of Buildings  
Approved By:

OCCUPANT NEEDS (Chapters 10, 11, 12)

MEANS OF EGRESS (Chapter 10)

B

OCCUPANT LOAD (1004.3, 1004.5 and Table 1004.5, 1004.6)

Location	Floor ÷ Area	Sq. ft./ person	=	Occ. load	Other occ. loads	Total
BSMT A2						
	S SIDE	=		1,974		
	7 SIDE	=		1,519		
	T	=		3,493 / 15		232
FIRST FLR A2						
	S SIDE	=		1,392		
	S MEZ	=		604		
	7 SIDE	=		1,654		
	T	=		3,671 / 15	241	
5 SIDE ALLEY						
	ENTRY	=		244 / 5	48	
	T	=				289
BSMT + FIRST						521

CAPACITY OF EGRESS COMPONENTS (1005.3.1, 1005.3.2)

Egress width (inch/occupant)	
Stairways	.2 w/SPRINK
Other egress components	.15 w/SPRINK

Location	Stairways	Other egress components
BSMT	S. STAIR 44"	220
	N. STAIR 44"	220
	S DOOR 34"	226
	N DOOR 39"	260
FIRST	S DOOR 36"	240
FLOOR	N DOOR 39"	260
	N DOOR 36"	240

NUMBER OF EXITS/EXIT ACCESS (1006)

Location	Required	Shown
BSMT	2	2
FIRST	2	3

C

TOILET COUNT

A2 requires WC per 40

Basement

men 3

women 3

solo 1

First Floor-Mez

solo 6

total 13

x 40 allows 520

egress occupancy 521

D-1

-----Original Message-----

From: Owens, Ricky A. - PDR <[Ricky.Owens@richmondgov.com](mailto:Ricky.Owens@richmondgov.com)>  
To: [rml303@aol.com](mailto:rml303@aol.com) <[rml303@aol.com](mailto:rml303@aol.com)>  
Sent: Mon, Oct 14, 2019 9:12 am  
Subject: FW: plumbing review comments for 7 E. Broad Street

---

**From:** Owens, Ricky A. - PDR  
**Sent:** Friday, October 11, 2019 1:44 PM  
**To:** '[rml303@aol.com](mailto:rml303@aol.com)'; '[osterpc@opcva.com](mailto:osterpc@opcva.com)'  
**Cc:** Woodall, George A. - PDR  
**Subject:** plumbing review comments for 7 E. Broad Street

Rick Owens  
Engineer Senior  
Plumbing & Gas Plan Review



City of Richmond  
Planning and Development Review  
Bureau of Permits and Inspections  
900 E. Broad Street Room 110  
Richmond, Virginia 23219  
804.646-6979- Office  
804.646-1569-Fax  
[ricky.owens@richmondgov.com](mailto:ricky.owens@richmondgov.com)  
[www.richmondgov.com](http://www.richmondgov.com)

To check on the status of a plan or permit follow the link listed below

[http://energov.richmondgov.com/EnerGov\\_Prod/CitizenAccess/Site/Public/Main](http://energov.richmondgov.com/EnerGov_Prod/CitizenAccess/Site/Public/Main)

From: **Ricky A. - PDR Owens** Ricky.Owens@richmondgov.com  
Subject: RE: plumbing review comments for 7 E. Broad Street OCCUPANCY NUMBER CHANGE  
Date: Yesterday at 2:01 PM  
To: rml303@aol.com

D-2

---

I will forward this to Mr. Woodall for his review of the building plans.

All I will need from Mr. Ostergren is a letter for the occupant count that I can attach to the plans.

---

**From:** [rml303@aol.com](mailto:rml303@aol.com) [<mailto:rml303@aol.com>]  
**Sent:** Tuesday, October 15, 2019 1:22 PM  
**To:** Owens, Ricky A. - PDR; Woodall, George A. - PDR  
**Cc:** [wpyliaris@comcast.net](mailto:wpyliaris@comcast.net); [osterpc@opcva.com](mailto:osterpc@opcva.com)  
**Subject:** Re: plumbing review comments for 7 E. Broad Street OCCUPANCY NUMBER CHANGE

**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

hi mr Owens,

the owner would like to go with the option in your paragraph 4  
so that the total reduced plumbing fixture occupant load is for 480 occupants at the basement and first floor  
combined  
and there would be no need to do any re-configuration/addition to the plumbing fixtures

at dwg 1-P1.2, Basement Toilet Plan, Mens Toilet B4  
urinal screens/privacy partitions are show on the drawings but not labeled  
they will be provided.

please let me know if this response to your comments is satisfactory

thanks, bill laffoon

Rml architecture  
303 cedar st  
Richmond 23223  
269-1174

D-3

**Owens, Ricky A. - PDR**

**From:** John W Ostergren Jr <osterpc@opcva.com>  
**Sent:** Wednesday, October 16, 2019 2:33 PM  
**To:** Owens, Ricky A. - PDR  
**Cc:** Bill Laffoon  
**Subject:** RE: plumbing review comments for 7 E. Broad Street

**Categories:** Red Category

**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Rick,

In our opinion the plumbing fixtures on the Basement and First floor will handle the 480 occupants you mention in your comments for this project.

Please add a note to the drawings that the Basement and First Floor will provide the proper fixtures for the 480 proposed occupancy.

John O.

John W. Ostergren, Jr., P.E., LEED AP  
Ostergren, P.C.  
10503 Malboro Road  
Mechanicsville, VA 23116-3142  
Tel: (804) 730-0465  
[osterpc@opcva.com](mailto:osterpc@opcva.com)

Caution!!  
The Department of Public Utilities may have additional backflow prevention and cross connection requirements that are above and beyond those required by the Virginia Uniform Statewide Building Code. It is the permit holder's responsibility to coordination with the Department of Public Utilities, as this approval plans does not waive any of their requirements.

**From:** Owens, Ricky A. - PDR [mailto:Ricky.Owens@richmondgov.com]  
**Sent:** Friday, October 11, 2019 1:44 PM  
**To:** rml303@aol.com; osterpc@opcva.com  
**Cc:** Woodall, George A. - PDR <George.Woodall@richmondgov.com>  
**Subject:** plumbing review comments for 7 E. Broad Street

Rick Owens  
Engineer Senior  
Plumbing & Gas Plan Review

APPROVED  APPROVED AS NOTED   
The approval of the plumbing drawings does not relieve the applicant from complying with all requirements of the Virginia Uniform Statewide Building Code, International Plumbing Code and the International Building Code as well as all other applicable codes and ordinances of the City of Richmond.  
THIS STAMP ONLY APPLIES TO PLUMBING INSTALLATIONS.  
Approved by RAO Date [Nov 25, 2019]



# BUILDING (C) PERMIT

City of Richmond  
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To Request an inspection, call (804) 646-0770

ISSUE DATE: 10/18/2019

## BLDC-060914-2019

**SITE ADDRESS:** 7 E Broad St  
Richmond, VA 23219

PARCEL NUMBER: W0000084002

**PERMIT DESCRIPTION:** Finish Work Begun Under Previous Permit to Comply with Current Building Code - VEBC 2015

OCCUPANCY LOAD/FLOOR: Basement & 1st Floor=480, 2nd Fl=63, 3rd Fl=75  
TYPE OF IMPROVEMENT: Alter/Remodel Light  
USE GROUP: A2A - Nightclub  
COST OF WORK: \$480,630.00  
CONSTRUCTION TYPE: Type IIIB  
(Noncombustible/Combustible)

INSPECTOR NAME: Donald Drummond  
INSPECTOR EMAIL ADDRESS: Donald.Drummond@richmondgov.com

INSPECTOR PHONE: 804-646-6973

**PERMIT CONTACT INFORMATION**

OWNER NAME: Bap LLC  
CONTRACTOR NAME: Owner - contractor  
CONTRACTOR LICENSE NUMBER: 999999911

OWNER PHONE:  
CONTRACTOR PHONE: 0000000000000

**FEE INFORMATION**

Permit Fee	\$3,572.12	Plan Review	\$420.25
Administrative Handling	\$210.13	State Levy	\$84.05
<b>TOTAL FEES</b>	<b>\$4,286.55</b>		

**SPECIAL TERMS AND CONDITIONS:**

PLANNING: approved per CAR review on 5/23/2017. The work must be performed in conformance with the Part II Tax Credit application approval and conditions and any additional conditions subsequently imposed by DHR or the National Park Service must be provided to staff for administrative review and approval.

Work In Street Permit will be required for any work done in the right of way

A Certificate of Occupancy is required to complete/final this project.

Building: Complete Work Begun Under Previous Permits for Renovations for Nightclub on Basement & 1st Floors and Artist Studios on 2nd & 3rd Floors per Attached Architect's Plans... Code Edition Updated to VEBC 2015 Compliance Alternative Method... Work Begun Under B09020519 & BLDC-020000-2017 for Basement ; 1st Floor and BLDC-008783-2016 for 2nd & 3rd Floors

Zoning: Interior renovations to nightclub to complete work of previous building permit (BLDC-016221-2017) as per submitted plans. Continuation of nonconforming use. No parking required for use in the B-4 zoning district.



F

# CERTIFICATE OF

CITY OF RICHMOND  
DEPARTMENT OF PLANNING  
& DEVELOPMENT REVIEW

# OCCUPANCY

BUREAU OF PERMITS  
& INSPECTIONS

[PDRPermitsAndInspections@Richmondgov.com](mailto:PDRPermitsAndInspections@Richmondgov.com)  
To Request an inspection, call 311

ISSUE DATE: 8/9/2022

## BLDC-060914-2019

**SITE ADDRESS:** 7 E Broad St  
Richmond, VA 23219

PARCEL NUMBER: W0000084002

**PERMIT DESCRIPTION:** Finish Work Begun Under Previous Permit to Comply with Current Building Code - VEBC 2015. Revisions received 7/20/2021.

OCCUPANCY LOAD/FLOOR: Basement & 1st  
Floor=480

NO. OF PARKING SPACES:  
VALUATION GROUP: A2A - Nightclub

VALUATION TYPE: Type IIIB  
(Noncombustible/Combustible)  
INSPECTOR PHONE: 804-389-3967

INSPECTOR NAME: Donald Drummond  
INSPECTOR EMAIL ADDRESS: Donald.Drummond@rva.gov

**PERMIT CONTACT INFORMATION**

OWNER NAME: Bap LLC  
CONTRACTOR NAME: owner - contractor

OWNER PHONE:  
CONTRACTOR PHONE: 0000000000

**FEE INFORMATION**

Revised Permit Fee	\$428.66	Plan Review	\$420.25
State Levy	\$84.05	Permit Fee	\$3,572.12
Administrative Handling	\$210.13		
<b>TOTAL FEES</b>	<b>\$4,715.21</b>		

**SPECIAL TERMS AND CONDITIONS**

Building: Nightclub, continuation of nonconforming use on Basement & 1st Floors.  
VEBC 2015 Compliance Alternative

Zoning : Nightclub, continuation of nonconforming use. No parking required for use in the B-4 zoning district.

**David L. Alley III**  
Commissioner of Buildings



City of Richmond  
Department of Planning  
& Development Review

Bureau Of Permits  
& Inspections

[PDRPermitsAndInspections@Richmondgov.com](mailto:PDRPermitsAndInspections@Richmondgov.com)

To Request an inspection, call (804) 646-0770

ISSUE DATE: 1/23/2023

G-1

# BUILDING (C) PERMIT

## BLDC-113523-2023

**SITE ADDRESS:** 7 E Broad St  
Richmond, VA 23219

PARCEL NUMBER: W0000084002

**PERMIT DESCRIPTION:** FIRST FLOOR - Provide a 225 SF kitchen in existing space at the first floor , with a kitchen hood as shown on the drawings .

OCCUPANCY LOAD/FLOOR:

TYPE OF IMPROVEMENT: Alter/Remodel Heavy

USE GROUP: A2A - Nightclub

COST OF WORK: \$43,000.00

CONSTRUCTION TYPE: Type IIIB

(Noncombustible/Combustible)

INSPECTOR NAME: Donald Drummond

INSPECTOR PHONE: 804-389-3967

INSPECTOR EMAIL ADDRESS: Donald.Drummond@rva.gov

**PERMIT CONTACT INFORMATION**

OWNER NAME: Bap LLC

OWNER PHONE:

CONTRACTOR NAME: owner - contractor

CONTRACTOR PHONE: 0000000000

CONTRACTOR LICENSE NUMBER: 9999999911

**FEE INFORMATION**

Permit Fee	\$406.55	Plan Review	\$47.95
Administrative Handling	\$25.00	State Levy	\$9.59

**TOTAL FEES** \$489.09

**SPECIAL TERMS AND CONDITIONS**

PLANNING: Approved for interior work only.

Cross Connection reviews to be conducted under corresponding PLBC, SPKC, and WSC permitting as may be applicable

It is the applicant's/owner's responsibility to be familiar with the DPU's Standards and requirements Back-flow protection must be installed if not already in place.

The Department of Public Utilities requires a service line backflow preventer on each commercial service (domestic [RPZ], fire [RPZ or DCVA dependent upon "hazard" as defined in DPU Cross Connection Manual] and irrigation [RPZ] meters) supplying water to the building/structure prior to any takeoffs.

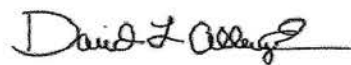
Confirmation of appropriate installation in accordance with applicable DPU Cross Connection requirements is required prior to water service activation.

For questions or concerns contact the DPU Cross Connection office at 804.646.8510 or 804.646.5962

Zoning: Interior work per scope and plans. Add small kitchen area. No other changes authorized

FINAL 12-18-24

G-2



**David L. Alley III**  
**Commissioner of Buildings**  
**Approved By:**



**City of Richmond**  
Department of Planning  
& Development Review

Bureau Of Permits  
& Inspections

[PDRPermitsAndInspections@rva.gov](mailto:PDRPermitsAndInspections@rva.gov)

To Request an inspection, call (804) 646-0770

**ISSUE DATE: 5/20/2025**

# BUILDING (C) PERMIT

## BLDC-149247-2025

**SITE ADDRESS:** 7 E Broad St  
Richmond, VA 23219

PARCEL NUMBER: W0000084002

**PERMIT DESCRIPTION:** Nightclub A2- Floor 1- Interior alterations- New Cabinets and equipment as shown on Drawing A1 in existing space.

OCCUPANCY LOAD/FLOOR: No change.

TYPE OF IMPROVEMENT: Alter/Remodel Light

USE GROUP: A2A - Nightclub

COST OF WORK: \$800.00

CONSTRUCTION TYPE: Type IIIB  
(Noncombustible/Combustible)

INSPECTOR NAME: Zachary Snyder

INSPECTOR EMAIL ADDRESS: zachary.snyder@rva.gov

INSPECTOR PHONE: 804-658-6447

**PERMIT CONTACT INFORMATION**

OWNER NAME: Bap LLC

CONTRACTOR NAME: owner - contractor

CONTRACTOR LICENSE NUMBER: 9999999911

OWNER PHONE:

CONTRACTOR PHONE: 0000000000

**FEE INFORMATION**

Permit Fee	\$91.00	Administrative Handling	\$25.00
Plan Review	\$15.00	State Levy	\$2.62

**TOTAL FEES** \$133.62

**SPECIAL TERMS AND CONDITIONS**

Zoning: Interior alterations per scope and plans (New Cabinets and equipment). No other work authorized by this permit.

CAR Approved for interior work.

DPW:

No work or construction staging (including dumpsters, Construction Entrances, DRIVEWAYS etc) may occur within or come in contact with, the public right of way until the appropriate WISPs have been acquired.

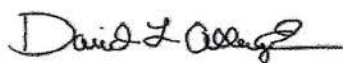
Building Department: The submitted documents reviewed per the 2021 Virginia Uniform Statewide Building Code.

DPU: No work will be performed that will involve excavation in or around DPU utilities requiring a review of work plans

If any DPU infrastructure is damaged as a result of this work, the Permit Holder will be liable for the cost of any necessary repairs.

*FINAL 6-26-2025*

H-2



**David L. Alley III**  
**Commissioner of Buildings**  
**Approved By:**

MADE FOR CZC - H PERMIT

OCCUPANT NEEDS (Chapters 10, 11, 12)

MEANS OF EGRESS (Chapter 10)

J

OCCUPANT LOAD (1004.3, 1004.5 and Table 1004.5, 1004.6)

CAPACITY OF EGRESS COMPONENTS (1005.3.1, 1005.3.2)

Location Floor ÷ Sq. ft./ = Occt. Other Total  
Area person load loads

Egress width (inch/occupant)

Stairways

Other egress components 15 w/SPRINK

FIRST FLOOR A2  
5 SIDE = 1,475  
5 MEZ = 448  
T = 1,923/15 = 128  


---

7 SIDE SEATING = 1,147/15 = 76  
7 SIDE KIT = 704/200 = 4  
T = 80

Location Stairways Other egress components

5 SIDE  
N DOOR 39" 260  
S DOOR 34" 226  
S DOOR 36" 240

7 SIDE  
N DOOR 36" 240  
S DOOR 34" 226  
S DOOR 36" 240

NUMBER OF EXITS/EXIT ACCESS (1006)

Location Required Shown  
5 SIDE 2 2

7 SIDE 2 2

requirements contained in the state amendments to the IEBC shall be given the same precedence as the provisions of Chapter 1. Notwithstanding the above, where administrative requirements of Chapters 2–16 of the IEBC or of the codes and standards referenced in the IEBC are specifically identified as valid administrative requirements in Chapter 1 of this code or in the state amendments to the IEBC, then such requirements are not deleted and replaced.

**Note:** The purpose of this provision is to eliminate overlap, conflicts and duplication by providing a single standard for administrative, procedural and enforcement requirements of this code.

**101.8 Definitions.** The definitions of terms used in this code are contained in Chapter 2 along with specific provisions addressing the use of definitions. Terms may be defined in other chapters or provisions of the code and such definitions are also valid.

## SECTION 102 PURPOSE AND SCOPE

**102.1 Purpose.** In accordance with § 36-99.01 of the Code of Virginia, the General Assembly of Virginia has declared that (i) there is an urgent need to improve the housing conditions of low and moderate income individuals and families, many of whom live in substandard housing, particularly in the older cities of the Commonwealth; (ii) there are large numbers of older residential *buildings* in the Commonwealth, both occupied and vacant, which are in urgent need of *rehabilitation* and must be rehabilitated if the state's citizens are to be housed in decent, sound, and sanitary conditions; and (iii) the application of those building code requirements currently in force to housing *rehabilitation* has sometimes led to the imposition of costly and time-consuming requirements that result in a significant reduction in the amount of *rehabilitation* activity taking place.

The General Assembly further declares that (i) there is an urgent need to improve the existing condition of many of the Commonwealth's stock of commercial properties, particularly in older cities; (ii) there are large numbers of older commercial *buildings* in the Commonwealth, both occupied and vacant, that are in urgent need of *rehabilitation* and that must be rehabilitated if the citizens of the Commonwealth are to be provided with decent, sound and sanitary work spaces; and (iii) the application of the *existing building* code to such *rehabilitation* has sometimes led to the imposition of costly and time-consuming requirements that result in a significant reduction in the amount of *rehabilitation* activity taking place.

**102.2 Scope.** The provisions of this code shall govern construction and *rehabilitation* activities in *existing buildings* and *structures*.

**102.2.1 Change of occupancy to Group I-2 or I-3.** A *change of occupancy* to Group I-2 or I-3 from another occupancy classification shall comply with the provisions of the VCC as required for new construction, not Chapter 7 of this code. All other provisions of the VEBC, includ-

ing *change of occupancy* within an existing *Group I-2 or I-3* classification, are applicable to Group I-2 or I-3.

**102.2.2 Reconstruction, alteration, or repair in Group R-5 occupancies.** Compliance with this section shall be an acceptable alternative to compliance with this code at the discretion of the owner or owner's agent. The VCC may be used for the reconstruction, *alteration*, or *repair* of Group R-5 *buildings* or *structures* subject to the following criteria:

1. Any reconstruction, *alteration* or *repair* shall not adversely affect the performance of the *building* or *structure*, or cause the *building* or *structure* to become unsafe or lower existing levels of health and safety.
2. Parts of the *building* or *structure* not being reconstructed, altered, or repaired shall not be required to comply with the requirements of the VCC applicable to newly constructed *buildings* or *structures*.
3. The installation of material or *equipment*, or both, that is neither required nor prohibited shall only be required to comply with the provisions of the VCC relating to the safe installation of such material or *equipment*.
4. Material or *equipment*, or both, may be replaced in the same location with material or *equipment* of a similar kind or capacity.
5. In accordance with § 36-99.2 of the Code of Virginia, installation or replacement of glass shall comply with Section R308 or Chapter 24 of the VCC.

### Exceptions:

1. This section shall not be construed to permit non-compliance with any applicable flood load or flood-resistant construction requirements of the VCC.
2. Reconstructed decks, balconies, porches, and similar *structures* located 30 inches (762 mm) or more above grade shall meet the current code provisions for structural loading capacity, connections, and structural attachment. This requirement excludes the configuration and height of handrails and guardrails.
3. Repair or replacement of smoke alarms shall be with devices listed in accordance with UL217 and that are no more than 10 years from the date of manufacture. Battery-only powered devices shall be powered by a 10-year sealed battery.

**102.2.3 Additions.** Where one or more newly constructed fire walls that comply with Section 706 of the VCC is provided between an addition and the *existing building* or *structure* or portions thereof, the addition shall be considered a separate *building*, and therefore, not an addition within the scope of this code. Such separate *building*, including the fire wall, shall be constructed in accordance with the VCC and shall not place the *existing building* or *structure* in nonconformance with the building code under which the *existing building* or *structure* or the affected portions thereof was built, or as previously approved.

rml

L-1

3716 moss side ave **richmond** virginia 23222 rml303@aol.com 269-1174  
architecture pllc

January 15, 2026

Ms. Michelle Dickson, Buildings Plan Examiner  
City Hall, Room 110,  
900 East Broad Street  
Richmond, VA 23219

via email and uploaded to the permit portal

REF: FOIA Request H Permits for tenant changes at 7 East Broad Street first floor

Dear Michelle,

Your review letter and your mark up notes on the plan submitted are attached. This is a FOIA request. For items 1 through 7 highlighted in green, please provide the building code section/or other document that you rely on to require for tenant change indicated on the application/drawing.

With kindest regards,

*Bill Laffoon*

Bill Laffoon RA

Copy to: David Alley, Daniel Mouer, Rick Paul, Susan Harold

Attachments: your 7 e broad review comments with items in question noted

TRB appeal at 7 East Broad Street, Richmond

List of additional information:

5- Copy of statement read at Richmond LBBCA hearing

7 East Broad Street has a CO for a nightclub at the first floor and basement. The building also has a CO on floors 2 and 3 for business use.

The ODC is the nightclub tenant at the basement and first floor. The ODC wants to vacate the first floor and remain in the basement. The owner has 2 potential nightclub tenants to occupy the first floor. The potential tenants need confirmation of nightclub use to get a business license. The building owner asked me to help with this. I was sent to Mr. Paul and was then told to apply for H permits.

This was done. See the plans submitted. They were accepted with the fee paid.

I was told that the plans submitted were to be processed as building permits.

There was plan review confusion followed by a meeting for clarification. Meeting notes and plans were marked up by the plan reviewer.

**For context (from additional information 2-4-2026):**

In 2017, a building permit was issued for remodeling of an existing A2 nightclub at 7 East Broad Street. See ATTACHMENT A – Permit BLDC-020000-2017.

That permit expired before the work was completed. As the code cycle had changed, the code official required a new permit, and it was applied for. The plumbing plan reviewer found an insufficient number of plumbing fixtures for the egress occupancy. See ATTACHMENT B – Means of Egress Occupancy  
See ATTACHMENT C – Plumbing Fixture Counts

Means of Egress was for 521 occupants.  
Plumbing Fixtures were good for 520 occupants.

Significant plumbing work had been completed. The plumbing reviewer offered an option to reduce the occupant load to 480 for the basement and first floor as a tradeoff to adding more plumbing fixtures. The owner agreed to that option.

See ATTACHMENT D – 3 pages emails between Owens/Ostergren/Laffoon/Woodall

A building permit was issued 10-18-2019 to finish the A2 nightclub work under the previous permit with the occupancy load of 480 for the basement and first floor.

See ATTACHMENT E – Permit BLDC-060914-2019.

The work was completed and a certificate of occupancy was issued 8-9-2022. The A2 nightclub had an occupancy load of 480 for the basement and first floor.

See ATTACHMENT F – Certificate of Occupancy BLDC-060914-2019.

A building permit was issued 1-23-2023 for a kitchen at the first floor to serve the A2 nightclub. See ATTACHMENT G – Permit BLDC-113523-2023.

A building permit was issued 5-20-2025 for beverage area cabinets and equipment adjacent to the kitchen. See ATTACHMENT H – Permit BLDC-149247-2025.

The owner has 2 new potential A2 nightclub tenants to occupy the first floor, while the current tenant will remain in the basement and give up the first floor.

I was directed by a code official to apply for H permits with a drawing of the tenant areas.

See ATTACHMENT I – The H permits and drawings showing tenant areas and the egress occupancy information is shown on the drawings.

First Floor Diner tenant Means of Egress is for 80 occupants  
First Floor Good Lions tenant Means of Egress is for 128 occupants  
First Floor Total means of egress is for 208 occupants

See ATTACHMENT J – Means of Egress Occupancy Floor 1 showing sufficient capacity for the 208 occupants.

Shared toilets for First Floor tenants 6 WC X 40 = 240 occupants

There is sufficient egress capacity and toilets for the 2 proposed tenants and there is no reason to deny the A2 nightclub use.

See ATTACHMENT K – VEBC Section 102

The conditions that the code official requires contradict the purpose of the building code and the code of Virginia.

See ATTACHMENT L – 3 pages FOIA request dated 1-15-2026 for the documents showing code sections or other valid requirements to support the mark up notes and requirements you state for a new tenant to occupy space when there is no change in occupancy classification. There has been no reply to the FOIA.

The code officials failure to reply is a violation of Virginia FOIA. Section 109.4 of the building code says if the plans do not comply with the provisions of the code, the applicant shall be notified in writing the reasons. The code official/reviewer fails to identify the code provisions not met.

**See the submitted plans and the plan reviewer comments:**

See Plan for 7 side tenant Diner 2.0 and 5 side tenant Good Lions.

See Plan review comments.

Error Item-1. The reviewer says a building permit is required. (three permits, one for each of the 2 new tenants, and one for the tenant remaining that occupies the basement).

No code section is referenced. Section 109.4 requires the code official to notify in writing the reasons for adverse determinations. The reviewer does not say why, does not reference the code section to support the review comment. A FOIA request has been made to see the code/documents the reviewer relies on.

Error Item-2. There is no work called for and no work needed for tenant changes with no change in occupancy. Section 108 lists conditions where building permits are required. There is no condition here that requires one or more building permits.

Error Item-3. The reviewer says 1004.5 means that the occupant load cannot be less than the floor area divided by the occupant load factor, without exception, referring to number of toilets. The reviewer's interpretation is wrong. The code is clear that 1004 is for "determining the means of egress requirements".

In this existing building, plans approved by the city show that the egress capacity for each of the tenants exceeds what the allowable area requires for each tenant. This is a benefit of excess capacity for the number of occupants. There is no reason why the occupant load cannot be reduced further. There are city records showing this is an approved condition.

Error Item-4. The reviewer asks for information that is already shown on the drawings and/or included in the permit application.

Error Item-5. The reviewer does not reference a code section but based on comments from Mr. Paul saying that occupants shall have access to overcurrent devices. I assume the reference is to NEC 240.24. This is a multiple-occupancy building under the owners building management personnel, and this is the exception to "each occupant" requirement.

Other Error Item-6

**See Code of Virginia 36-119.1 Existing buildings.**

*This chapter shall not supersede provisions of the Fire Prevention Code promulgated by the Board under § 27-97, that prescribe standards to be complied with in existing buildings or structures, provided that such regulations shall not impose requirements that are more restrictive than those of the Uniform Statewide Building Code under which the buildings or structures were constructed. Subsequent alteration, enlargement, rehabilitation, repair, or conversion of the occupancy classification of such buildings and structures shall be subject to the construction and rehabilitation provisions of the Building Code.*

The code official is imposing a requirement more restrictive than the Building Code, and Virginia law prohibits that.

Other Error Item-7

See Section 102 Existing Building Code, Purpose and Code of Virginia 36-99.01

The conditions that the code official requires contradict the purpose of the building code and Code of Virginia.

**Relief: Written confirmation for tenant's occupancy for business license plus \$1,000 sanction for efforts to resolve this matter.**

## Introduction to Code Enforcement in Virginia

### The Virginia Way

What is the Virginia Way?

- A philosophical approach to code enforcement
- The approach of taking position of partnership with our stakeholders
- Find a way to say 'yes' within the spirit and intent of the code

Challenge to you, the student: throughout this class, point out any part of the code that you feel does not live up to The Virginia Way

### What Are Codes?

Codes are bodies of regulations, adopted by law, that govern the construction, maintenance, and operations of the built environment. The body of codes is made up of individual codes, or code 'books'.



Let's take a look at a video from the International Code Council, on the importance of codes and code enforcement

Video: Introducing ICC

**Class discussion: Why do we need building codes?**

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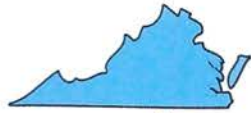
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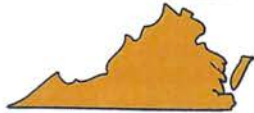
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## Administration and Enforcement of the Virginia Uniform Statewide Building Code & Statewide Fire Prevention Codes

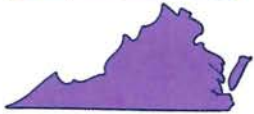
The presentation associated with this module uses several icons to indicate specific code areas being discussed. These icons are as follows:



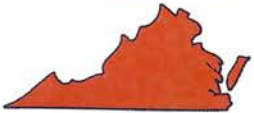
VCC: The Virginia Construction Code |



VEBC: The Virginia Existing Building Code ||



VMC: The Virginia Maintenance Code |||



SFPC: The Virginia Statewide Fire Prevention Code



Legal Aspects of Code Enforcement

### The Virginia Way



*We always recommend approaching code enforcement using  
The Virginia Way*

What is the Virginia Way?

---

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### **VEBC Permits Required**

All administrative provisions of the VCC, including but not limited to, requirements for permits, inspections, and approvals by the local building department, ...are applicable to the use of this code, except where this code sets out differing requirements.

- When new occupancy requires greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation



### **VMC Permits Required**

- There are no provisions for permits under the Maintenance Code.
- Maintenance Code cannot require alterations to a structure unless it is “unsafe” or “unfit for human occupancy.”
- If alterations are required, it kicks the structure over to VCC or VEBC for permitting and inspection.

### **VSFPC Permits Required**

- Remember that the VSFPC is a maintenance and operations code
- The Fire Official is authorized to require permits under the VSFPC
- Permits may be required for on-site operations, processing, storage, and use of materials.
- An operational permit may be required to conduct a carnival or fair.



### **Plan Review – Approval**

Once reviewed for compliance...

- Stamp “APPROVED” or equivalent  
OR
- Written rejection with statement of deficiencies

### **VSFPC Plan Review – Special Requirements**

VSFPC is largely silent on plan procedures, except to say that plans approved by the fire official are approved with the intent that they comply with all aspects of the VSFPC.

- In other words, omissions or errors do not relieve applicants from code compliance

## **Inspections**

### **Inspections and the Fourth Amendment**

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

- Inspections performed under the USBC or the SFPC seek to determine if code violations exist
- Code Officials must comply with Constitutional prohibitions against unreasonable or illegal searches

What is a “search”?

- “To look over or through for the purpose of finding something; to explore; to examine by inspection...”  
–U.S. Supreme Court



- The approved final inspection may serve as the certificate of occupancy for an addition or alteration to a Single-Family Dwelling for which a certificated has already been issued.
- As of 2018, a new Certificate of Occupancy must be issued for commercial additions and change of occupancy.
- A temporary certificate of occupancy may be issued prior to completion of the entire work covered by a permit, provided that portion can be occupied safely.
- A certificate of occupancy for an existing structure shall be issued upon the request of the owner.
  - No change in the occupancy classification.
  - No violations of the Maintenance or Fire Prevention Codes.

### Certificate of Occupancy - Revocation

- The building official may, in writing, suspend or revoke a certificate of occupancy whenever...
  - It was issued in error.
  - It was issued on the basis of incorrect information.
  - When the structure is in repeated violation of the USBC.
  - When the Maintenance Code Official requests under USBC III – 105.7.

CERTIFICATE OF USE AND OCCUPANCY		No. _____
To be filled out by the Building Official Name of Building: _____ Address: _____ City: _____ State: _____ Zip: _____ Date of Issue: _____ Issued by: _____ Signature: _____ Title: _____		Received by: _____ Signature: _____ Title: _____ Date: _____
<p><b>REVOKED</b></p>		
The Building Official is responsible for the Building Code and for the safety of the building and its occupants. This certificate is issued only if the building complies with all applicable codes.		
Building Official: _____ Signature: _____ Title: _____		Date: _____

## The Virginia Way



Some will read the code and say, “If it doesn’t say yes, it must mean no.”



Some will read the code and say, “If it doesn’t say no, it must mean yes.”



### Saying “No”

- When you say ‘no’, your job becomes easy because the process, along with progress, is stopped.
- When you say ‘no’, all opportunities for mutual respect, understanding and learning diminish substantially.

### Saying “Yes”

- When you say ‘yes’, your job becomes tougher because saying ‘yes’ means that you’ve taken the time to learn enough to be confident in your advice and decisions.
- When you say ‘yes’, all opportunities for mutual respect, understanding and learning increase substantially.



Addition Information - Permits & Drawings at 7 E Broad Street			
Drawing Mark	7 East Broad Street		
1	Basement & First Floor	Certificate of Occupancy	
2	Basement & First Floor	Dwg T1	Title
3	Basement & First Floor	Dwg 1-A1	Floor Plans
4	Basement & First Floor	Dwg 1-A7	Building Section
5	Building Sprinkler System	Permit Placard	
6	Building Sprinkler System	Sprinkler Permit Dwg	
7	Kitchen Floor 1	Permit Placard	
8	Kitchen Floor 1	Dwg A1a	Floor Plans
9	Beverage Area Floor 1	Permit Placard	
10	Beverage Area Floor 1	Dwg A1	Floor Plans
11	Floor 2 & 3	Certificate of Occupancy	
12	Floor 2 & 3	Dwg T1	Title
13	Floor 2 & 3	Dwg T2	Building Section
14	Floor 2 & 3	Dwg A2	Plan Floor 2
15	Floor 2 & 3	Dwg A3	Plan Floor 3



B-1 1

# CERTIFICATE OF

CITY OF RICHMOND  
DEPARTMENT OF PLANNING  
& DEVELOPMENT REVIEW

# OCCUPANCY

BUREAU OF PERMITS  
& INSPECTIONS

[PDRPermitsAndInspections@Richmondgov.com](mailto:PDRPermitsAndInspections@Richmondgov.com)  
To Request an inspection, call 311

ISSUE DATE: 8/9/2022

## BLDC-060914-2019

**SITE ADDRESS:** 7 E Broad St  
Richmond, VA 23219

PARCEL NUMBER: W0000084002

**PERMIT DESCRIPTION:** Finish Work Begun Under Previous Permit to Comply with Current Building Code - VEBC 2015. Revisions received 7/20/2021.

OCCUPANCY LOAD/FLOOR: Basement & 1st  
Floor=480

NO. OF PARKING SPACES:

VALUATION GROUP: A2A - Nightclub

VALUATION TYPE: Type IIIB  
(Noncombustible/Combustible)

INSPECTOR NAME: Donald Drummond

INSPECTOR PHONE: 804-389-3967

INSPECTOR EMAIL ADDRESS: Donald.Drummond@rva.gov

### PERMIT CONTACT INFORMATION

OWNER NAME: Bap LLC

OWNER PHONE:

CONTRACTOR NAME: owner - contractor

CONTRACTOR PHONE: 0000000000

### FEE INFORMATION

Revised Permit Fee	\$428.66	Plan Review	\$420.25
State Levy	\$84.05	Permit Fee	\$3,572.12
Administrative Handling	\$210.13		
<b>TOTAL FEES</b>	<b>\$4,715.21</b>		

### SPECIAL TERMS AND CONDITIONS

Building: Nightclub, continuation of nonconforming use on Basement & 1st Floors.  
VEBC 2015 Compliance Alternative

Zoning : Nightclub, continuation of nonconforming use. No parking required for use in the B-4 zoning district.

**David L. Alley III**  
Commissioner of Buildings



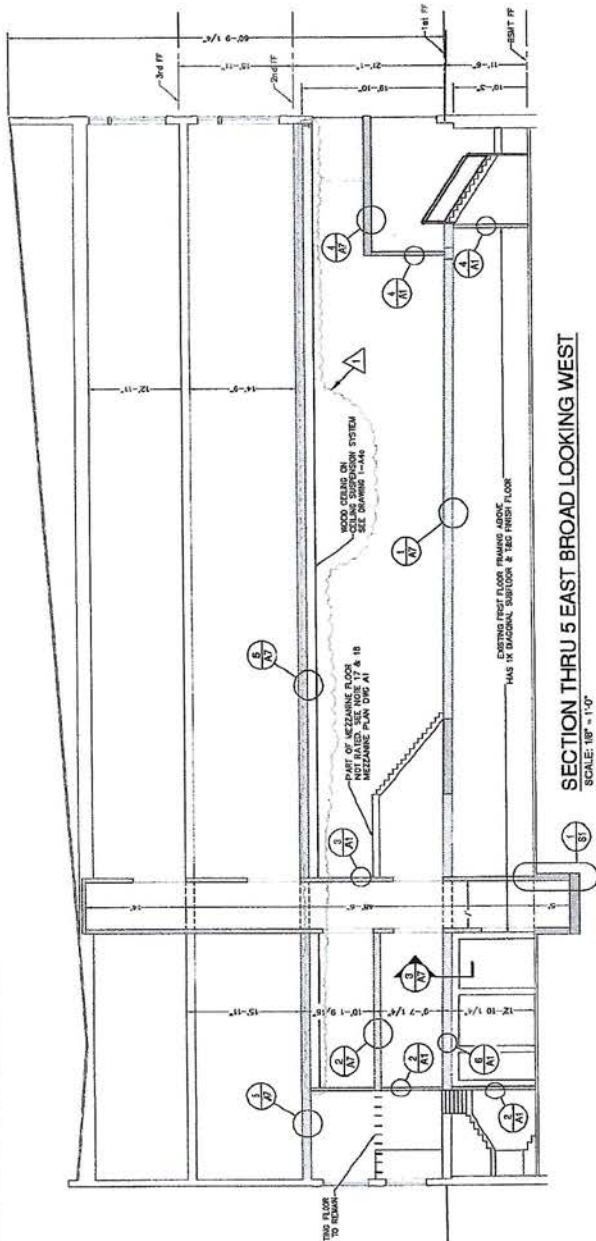


**LEGEND**

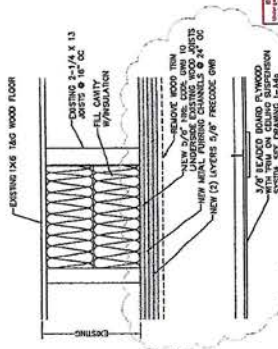
- EXISTING CONSTRUCTION TO REMAIN
- NEW CONSTRUCTION
- REMOVE EXISTING CONSTRUCTION
- NEW CONSTRUCTION WALLS & FLOOR/CEILING ASSEMBLY 2 HOUR RATED
- EXISTING CONSTRUCTION WALLS & FLOOR/CEILING ASSEMBLY 2 HOUR RATED

**SECTION NOTES**

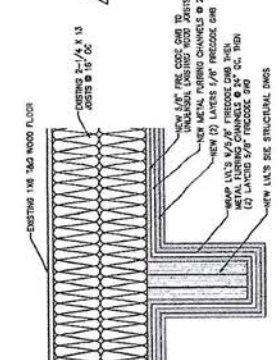
1. TOP OF EXISTING CONCRETE S.L.B.
2. NEW SVELEIGHT AT ORIGINAL FRAMED DRIVING.



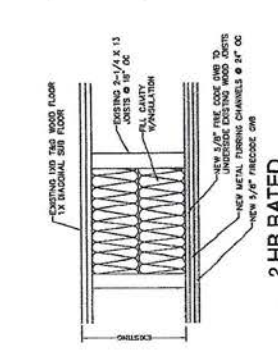
**SECTION THRU 5 EAST BROAD LOOKING WEST**  
SCALE: 1/8" = 1'-0"



**1 2 HR RATED FLOOR-CEILING ASSEMBLY**  
1-1/2" x 1'-0"  
\*\*\* 2 HOUR RATING SIMILAR TO UL DESIGN NO L 505



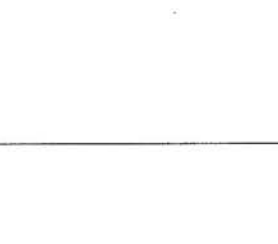
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1-1/2" x 1'-0"  
\*\*\* 2 HOUR RATING SIMILAR TO UL DESIGN NO L 538



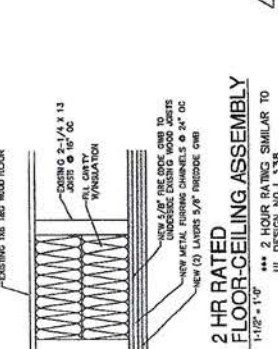
**3 2 HR RATED FLOOR-CEILING ASSEMBLY**  
1-1/2" x 1'-0"  
\*\*\* 2 HOUR RATING SIMILAR TO UL DESIGN NO L 538



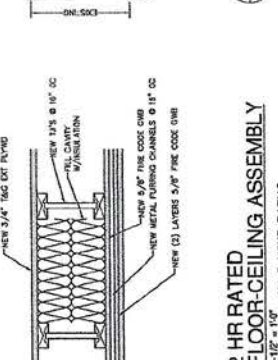
**4 2 HR RATED FLOOR-CEILING ASSEMBLY**  
1-1/2" x 1'-0"  
\*\*\* 2 HOUR RATING SIMILAR TO UL DESIGN NO L 538



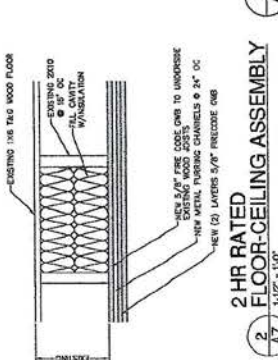
**5 2 HR RATED FLOOR-CEILING ASSEMBLY**  
1-1/2" x 1'-0"  
\*\*\* 2 HOUR RATING SIMILAR TO UL DESIGN NO L 538



**6 2 HR RATED FLOOR-CEILING ASSEMBLY**  
1-1/2" x 1'-0"  
\*\*\* 2 HOUR RATING SIMILAR TO UL DESIGN NO L 538



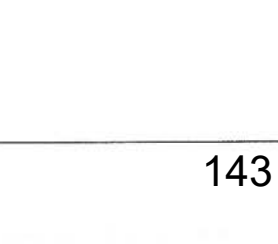
**1 2 HR RATED FLOOR-CEILING ASSEMBLY**  
1-1/2" x 1'-0"  
\*\*\* 2 HOUR RATING SIMILAR TO UL DESIGN NO L 505



**2 2 HR RATED FLOOR-CEILING ASSEMBLY**  
1-1/2" x 1'-0"  
\*\*\* 2 HOUR RATING SIMILAR TO UL DESIGN NO L 505



**3 2 HR RATED FLOOR-CEILING ASSEMBLY**  
1-1/2" x 1'-0"  
\*\*\* 2 HOUR RATING SIMILAR TO UL DESIGN NO L 538



**4 2 HR RATED FLOOR-CEILING ASSEMBLY**  
1-1/2" x 1'-0"  
\*\*\* 2 HOUR RATING SIMILAR TO UL DESIGN NO L 538



**1-A7**  
Alterations  
5 & 7 East Broad Street  
RICHMOND, VA 23219  
SEPTEMBER 18, 2019  
rmi architecture  
303 cedar street  
richmond 23223  
288-1174  
REVISED 7-8-2021

4



**City of Richmond**  
 Department of Planning  
 & Development Review  
 Bureau Of Permits  
 & Inspections

# SPRINKLER (C) PERMIT

[PDRPermitsAndInspections@Richmondgov.com](mailto:PDRPermitsAndInspections@Richmondgov.com)  
 To Request an inspection, call (804) 646-0770

**ISSUE DATE: 10/8/2021**

## SPKC-091668-2021

**SITE ADDRESS:** 7 E Broad St  
 Richmond, VA 23219

**PARCEL NUMBER:** W0000084002

**PERMIT DESCRIPTION:** Retrofit a complete wet pipe sprinkler system.

TYPE OF IMPROVEMENT: Addition  
 USE GROUP: A2A - Nightclub  
 INSPECTOR NAME: Dale Windom  
 INSPECTOR EMAIL ADDRESS: Dale.Windom@richmondgov.com

COST OF WORK: \$30,000.00  
 CONSTRUCTION TYPE:  
 INSPECTOR PHONE: 804-658-7395

**PERMIT CONTACT INFORMATION**

OWNER NAME: Bap LLC  
 CONTRACTOR NAME: OCEAN FIRE PROTECTION LLC  
 CONTRACTOR LICENSE NUMBER: 2705089076

OWNER PHONE:  
 CONTRACTOR PHONE: 8046271997

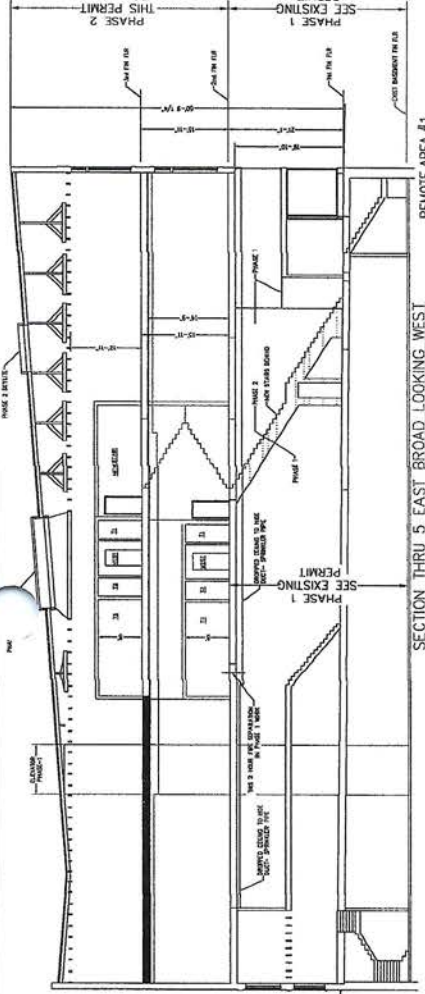
**FEE INFORMATION**

Permit Fee	\$329.00	Administrative Handling	\$25.00
Plan Review	\$15.00	State Levy	\$7.38
<b>TOTAL FEES</b>	<b>\$376.38</b>		

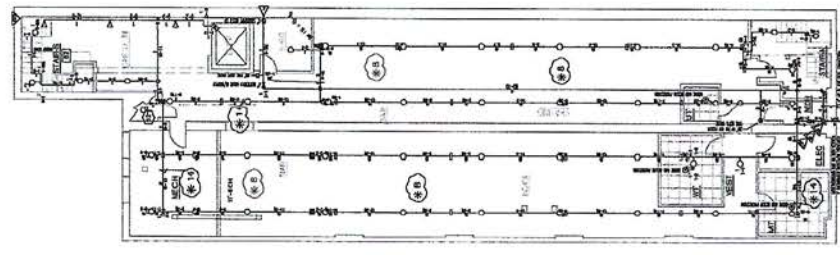
**David L. Alley III**  
 Commissioner of Buildings  
 Approved By:

**GENERAL NOTES:**

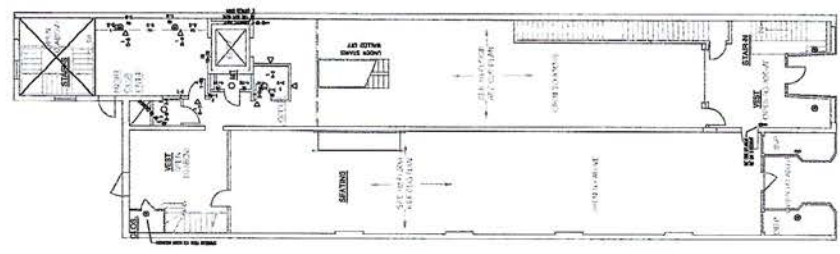
1. ALL MATERIALS, COMPONENTS, FITTINGS AND DEVICES USED AND INSTALLED IN THIS FIRE SPRINKLER SYSTEM SHALL BE LISTED AND APPROVED BY THE MANUFACTURER'S LISTING AGENCY AND SHALL BE IDENTICAL TO THE LISTING INFORMATION AND SHALL BE IDENTICAL TO THE LISTING INFORMATION.
2. THE FIRE SPRINKLER SYSTEM SHALL BE DESIGNED IN ACCORDANCE WITH NFPA 13.
3. ALL SPRINKLER HEADS SHALL BE OF THE LISTED TYPE AND SHALL BE IDENTICAL TO THE LISTING INFORMATION.
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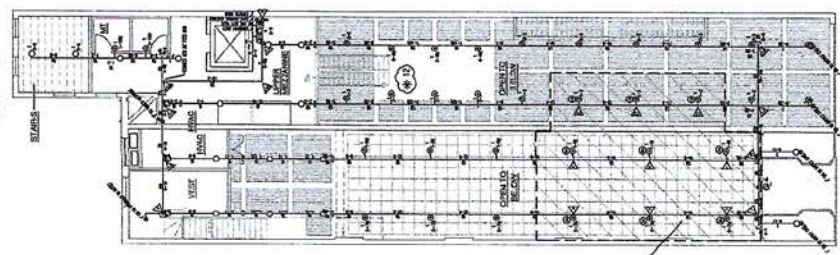
SECTION THRU 5, EAST BROAD LOOKING WEST  
SCALE: 1/4" = 1'-0"



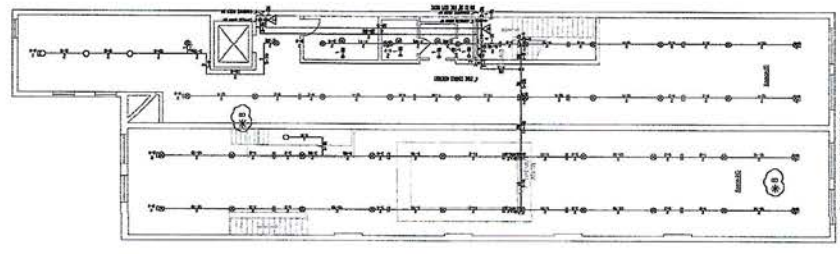
BASEMENT FLOOR  
SCALE: 1/4" = 1'-0"  
USE GROUP: A2 NIGHT CLUB-RESTAURANT



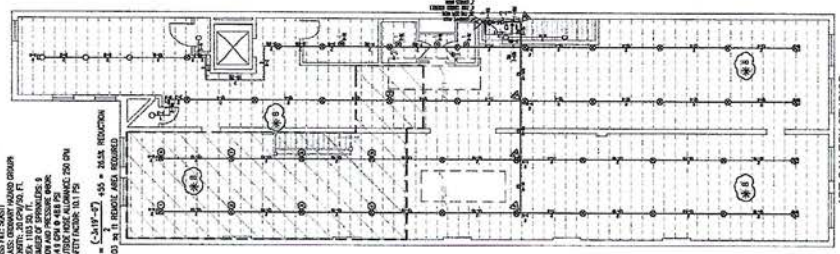
UNDER MEZZANINE FLOOR  
SCALE: 1/4" = 1'-0"  
USE GROUP: A2 NIGHT CLUB-RESTAURANT



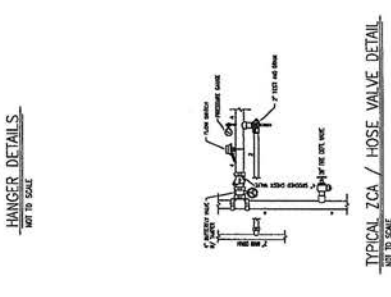
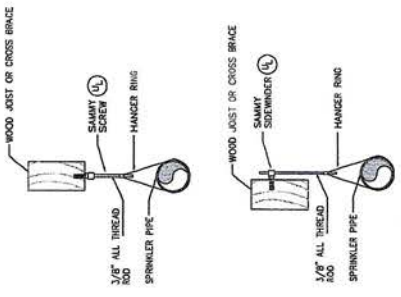
1st FLOOR  
SCALE: 1/4" = 1'-0"  
USE GROUP: A2 NIGHT CLUB-RESTAURANT  
FUTURE INTENT TO BE ORD 1642 GR1



2nd FLOOR  
SCALE: 1/4" = 1'-0"  
USE GROUP: A3



3rd FLOOR  
SCALE: 1/4" = 1'-0"  
USE GROUP: A3



Approved for installation of fire sprinklers in all areas of the building. The contractor shall be responsible for obtaining all necessary permits and approvals from the City of Richmond. This stamp only applies to this project.



NO.	DATE	BY	DESCRIPTION
1	04/11/2021	JAM	ISSUED FOR PERMIT
2	04/11/2021	JAM	REVISED PER COMMENTS
3	04/11/2021	JAM	REVISED PER COMMENTS
4	04/11/2021	JAM	REVISED PER COMMENTS
5	04/11/2021	JAM	REVISED PER COMMENTS
6	04/11/2021	JAM	REVISED PER COMMENTS
7	04/11/2021	JAM	REVISED PER COMMENTS
8	04/11/2021	JAM	REVISED PER COMMENTS

**OCEAN FIRE PROTECTION, LLC**  
1351 DANEBRO TERRACE, SUITE 100  
RICHMOND, VA 23220  
TEL: (804) 627-1997 FAX: (804) 598-4239

5 & 7 EAST BROAD STREET  
INTERIOR RENOVATIONS  
RICHMOND, VA

NO.	DATE	BY	DESCRIPTION
1	04/11/2021	JAM	ISSUED FOR PERMIT
2	04/11/2021	JAM	REVISED PER COMMENTS
3	04/11/2021	JAM	REVISED PER COMMENTS
4	04/11/2021	JAM	REVISED PER COMMENTS
5	04/11/2021	JAM	REVISED PER COMMENTS
6	04/11/2021	JAM	REVISED PER COMMENTS
7	04/11/2021	JAM	REVISED PER COMMENTS
8	04/11/2021	JAM	REVISED PER COMMENTS

SPRINKLER	MAKE	MODEL	ORIFICE	TEMP	POSITION	C.L. INCH	PLATE
D	TYCO	T3333	1/2"	155	CEILING	N 5.61	REFLECTED CHROME
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WATER SUPPLY (INF)  
DATE: 04/11/2021  
TIME: 10:17:29  
USER: JAM  
PROJECT: 21-00000000

**IMPORTANT:**  
This design is contingent upon approval from the City of Richmond. The contractor shall be responsible for obtaining all necessary permits and approvals from the City of Richmond. This stamp only applies to this project.

1351 DANEBRO TERRACE, SUITE 100  
RICHMOND, VA 23220  
TEL: (804) 627-1997 FAX: (804) 598-4239



**City of Richmond**  
 Department of Planning  
 & Development Review

Bureau Of Permits  
 & Inspections

[PDRPermitsAndInspections@Richmondgov.com](mailto:PDRPermitsAndInspections@Richmondgov.com)

To Request an inspection, call (804) 646-0770

KIT

7

# BUILDING (C) PERMIT

**ISSUE DATE: 1/23/2023**

## BLDC-113523-2023

**SITE ADDRESS:** 7 E Broad St  
 Richmond, VA 23219

**PARCEL NUMBER:** W0000084002

**PERMIT DESCRIPTION:** FIRST FLOOR - Provide a 225 SF kitchen in existing space at the first floor , with a kitchen hood as shown on the drawings .

OCCUPANCY LOAD/FLOOR:

TYPE OF IMPROVEMENT: Alter/Remodel Heavy

USE GROUP: A2A - Nightclub

COST OF WORK: \$43,000.00

CONSTRUCTION TYPE: Type IIIB  
 (Noncombustible/Combustible)

INSPECTOR NAME: Donald Drummond

INSPECTOR EMAIL ADDRESS: Donald.Drummond@rva.gov

INSPECTOR PHONE: 804-389-3967

**PERMIT CONTACT INFORMATION**

OWNER NAME: Bap LLC

CONTRACTOR NAME: owner - contractor

CONTRACTOR LICENSE NUMBER: 9999999911

OWNER PHONE:

CONTRACTOR PHONE: 0000000000

**FEE INFORMATION**

Permit Fee	\$406.55	Plan Review	\$47.95
Administrative Handling	\$25.00	State Levy	\$9.59

**TOTAL FEES** \$489.09

**SPECIAL TERMS AND CONDITIONS**

PLANNING: Approved for interior work only.

Cross Connection reviews to be conducted under corresponding PLBC, SPKC, and WSC permitting as may be applicable

It is the applicant's/owner's responsibility to be familiar with the DPU's Standards and requirements

Back-flow protection must be installed if not already in place.

The Department of Public Utilities requires a service line backflow preventer on each commercial service (domestic [RPZ], fire [RPZ or DCVA dependent upon "hazard" as defined in DPU Cross Connection Manual] and irrigation [RPZ] meters) supplying water to the building/structure prior to any takeoffs.

Confirmation of appropriate installation in accordance with applicable DPU Cross Connection requirements is required prior to water service activation.

For questions or concerns contact the DPU Cross Connection office at 804.646.8510 or 804.646.5962

Zoning: Interior work per scope and plans. Add small kitchen area. No other changes authorized

# BID-CONSTRUCTION SET

## 8-1-2023

### 1/8" Scale Plan Notes

1. EXISTING ELECTRICAL PANEL.
2. OMT.
3. OMT.
4. OMT.
5. OMT.
6. EXISTING FRAME.
7. EXISTING BELIEVAH AT THE CEILING.
8. NEW HEADER ABOVE COUNTERTOP.
9. EXISTING OPENING AT MECHANICAL LOFT. FRAME IN NEW CONSTRUCTION SHALL BE REINFORCED WITH 2" X 4" LVL TO THE WEST OF THE NEW WINDOW WALL BELOW. SURFACE TO THE WEST OF THE NEW WINDOW WALL BELOW SHALL BE FINISHED WITH 1/2" GYP BOARD.
10. EXISTING PIPING & CONDUIT PERU EXISTING MAINTAIN WITH NEW CONSTRUCTION. MAINTAIN EXISTING PIPING & CONDUIT MAINTAIN TO MATCH EXISTING CONDITION.

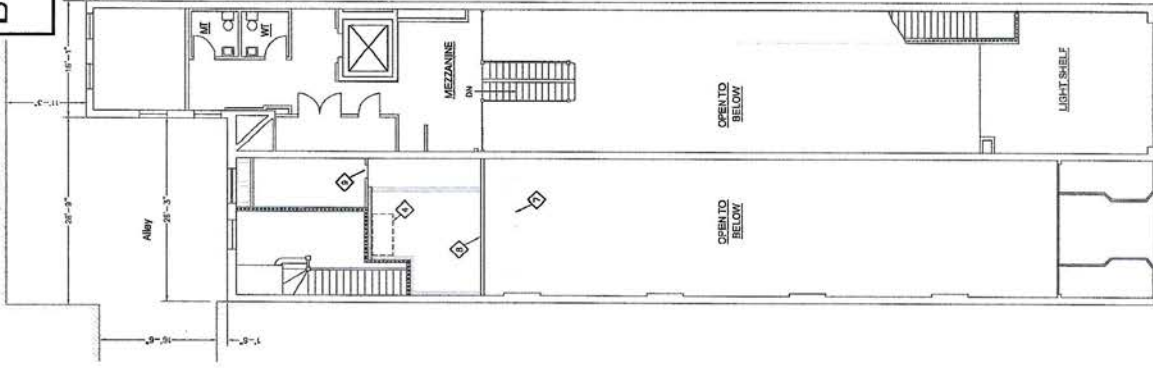
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### LEGEND

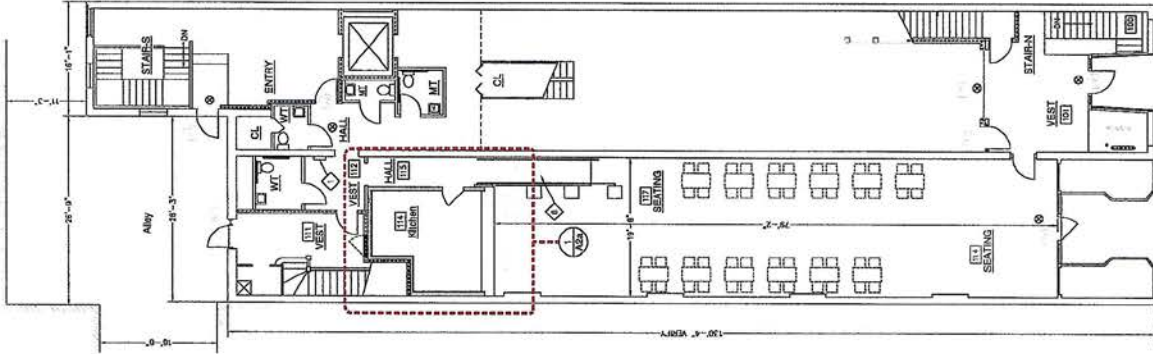
- EXISTING CONSTRUCTION TO REMAIN
- NEW CONSTRUCTION WITH 2 HR FIRE RATING
- NEW CONSTRUCTION WITH 1 HR FIRE RATING
- NEW CONSTRUCTION METAL STUDS
- NEW CONSTRUCTION METAL STUDS
- TOP OF NEW WALL IN THE KITCHEN
- NEW BRICK TO MATCH EXISTING
- FURNITURE NOT IN CONTRACT
- NEW DOOR-OPENING NUMBER SEE SCHEDULE
- EXISTING DOOR-OPENING NUMBER SEE SCHEDULE
- SPACE NAME SEE FINISH SCHEDULE
- EXIT LIGHT WITH PHOTOELECTRIC PAPER

**BIDDING PERIOD - APPROVED CONTRACT DOCUMENTS**  
 THE BIDDING PERIOD FOR THIS PROJECT IS FROM 11:00 AM ON DECEMBER 1, 2022 TO 11:00 AM ON DECEMBER 15, 2022. ALL BIDDERS MUST SUBMIT THEIR BIDS TO THE ARCHITECT BY 11:00 AM ON DECEMBER 15, 2022. BIDS RECEIVED AFTER THIS TIME WILL NOT BE CONSIDERED. THE ARCHITECT'S OFFICE IS NOT RESPONSIBLE FOR DELIVERING BIDS TO BIDDERS. BIDDERS ARE RESPONSIBLE FOR DELIVERING BIDS TO THE ARCHITECT'S OFFICE. THE ARCHITECT'S OFFICE IS NOT RESPONSIBLE FOR DELIVERING BIDS TO BIDDERS. BIDDERS ARE RESPONSIBLE FOR DELIVERING BIDS TO THE ARCHITECT'S OFFICE.

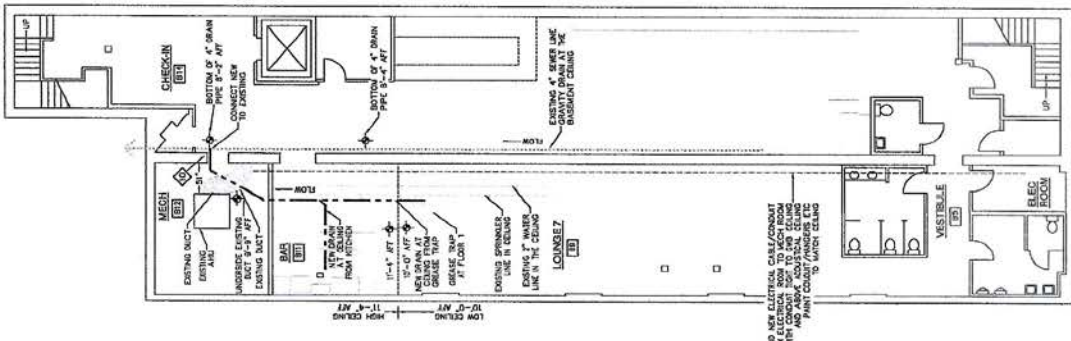
**A1a**  
 NEW DRAWING B-1-2023  
**New Kitchen for Night Club**  
 7 East Broad Street  
 RICHMOND, VA 23219  
 DECEMBER 1, 2022  
 rmi architecture pllc  
 300 cedar street  
 richmond 23223  
 808-1174



**3 Mezzanine Plan**  
 A1B SCALE: 1/8" = 1'-0"



**2 1st Floor Plan**  
 A1B SCALE: 1/8" = 1'-0"



**1 BASEMENT**  
 A1B SCALE: 1/8" = 1'-0"



**City of Richmond**  
 Department of Planning  
 & Development Review

Bureau Of Permits  
 & Inspections

[PDRPermitsAndInspections@rva.gov](mailto:PDRPermitsAndInspections@rva.gov)  
 To Request an inspection, call (804) 646-0770

**ISSUE DATE: 5/20/2025**

135V 9

# BUILDING (C) PERMIT

## BLDC-149247-2025

**SITE ADDRESS:** 7 E Broad St  
 Richmond, VA 23219

**PARCEL NUMBER:** W0000084002

**PERMIT DESCRIPTION:** Nightclub A2- Floor 1- Interior alterations- New Cabinets and equipment as shown on Drawing A1 in existing space.

OCCUPANCY LOAD/FLOOR: No change.  
 TYPE OF IMPROVEMENT: Alter/Remodel Light  
 USE GROUP: A2A - Nightclub

COST OF WORK: \$800.00  
 CONSTRUCTION TYPE: Type IIIB  
 (Noncombustible/Combustible)

INSPECTOR NAME: Zachary Snyder  
 INSPECTOR EMAIL ADDRESS: zachary.snyder@rva.gov

INSPECTOR PHONE: 804-658-6447

**PERMIT CONTACT INFORMATION**

OWNER NAME: Bap LLC  
 CONTRACTOR NAME: owner - contractor  
 CONTRACTOR LICENSE NUMBER: 9999999911

OWNER PHONE:  
 CONTRACTOR PHONE: 0000000000

**FEE INFORMATION**

Permit Fee	\$91.00	Administrative Handling	\$25.00
Plan Review	\$15.00	State Levy	\$2.62

**TOTAL FEES** \$133.62

**SPECIAL TERMS AND CONDITIONS**

Zoning: Interior alterations per scope and plans (New Cabinets and equipment). No other work authorized by this permit.

CAR Approved for interior work.

**DPW:**

No work or construction staging (including dumpsters, Construction Entrances, DRIVEWAYS etc) may occur within or come in contact with, the public right of way until the appropriate WISPs have been acquired.

Building Department: The submitted documents reviewed per the 2021 Virginia Uniform Statewide Building Code.

DPU: No work will be performed that will involve excavation in or around DPU utilities requiring a review of work plans  
 If any DPU infrastructure is damaged as a result of this work, the Permit Holder will be liable for the cost of any necessary repairs.

# CERTIFICATE OF OCCUPANCY

ISSUE DATE: 07/20/2023

## BLDC-060914-2019

STREET ADDRESS: 7 E West St, Richmond, VA 23219  
 PARCEL NUMBER: W000004002

PERMIT DESCRIPTION: Full Site Permit for new building to comply with current building code. Includes interior finish work.

CURRENT OCCUPANCY: Retail & Office  
 VALUATION TYPE: Type III (Nonresidential/Commercial)  
 INSPECTOR NAME: David Dunnington  
 INSPECTOR PHONE: 804-399-9567

PERMIT CONTACT INFORMATION  
 CONTRACTOR NAME: M. J. Construction  
 CONTRACTOR PHONE: 804-399-9567

PERMITS INFORMATION  
 Permit Fee: \$420.00  
 Inspected Permit Fee: \$210.00  
 Administrative Fee: \$47,153.21  
 TOTAL FEES: \$47,783.21

SPECIAL TERMS AND CONDITIONS  
 VEST: 2015 Compliance Alternative (nonconforming use on basement & 1st floor).  
 Zoning: 1 Nightclub, conditional of nonconforming use. No parking required for use in the B-4 zoning district.

David L. Allen III  
 Commissioner of Buildings

# BUILDING (C) PERMIT

ISSUE DATE: 1/23/2023

## BLDC-113523-2023

STREET ADDRESS: 7 E West St, Richmond, VA 23219  
 PARCEL NUMBER: W000004002

PERMIT DESCRIPTION: RISET LDOOR - Provide 6-2325 SF kitchen in existing space at the first floor, with a kitchen island and island sink.

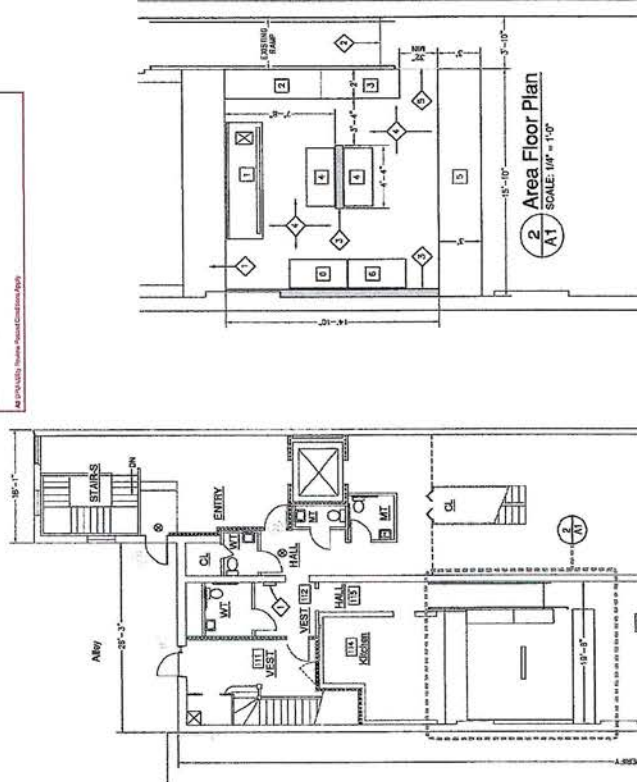
CONTRACTOR: M. J. Construction  
 CONTRACTOR PHONE: 804-399-9567

OWNER INFORMATION  
 OWNER NAME: M. J. Construction  
 OWNER PHONE: 804-399-9567

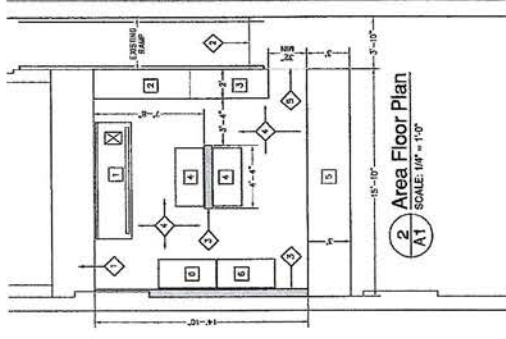
PERMIT INFORMATION  
 Permit Fee: \$420.00  
 Inspected Permit Fee: \$210.00  
 TOTAL FEES: \$630.00

SPECIAL TERMS AND CONDITIONS  
 Zoning: Interior work for steps and pillars. Add small kitchen area. No other changes authorized.

David L. Allen III  
 Commissioner of Buildings



1st Floor Plan  
 A1 SCALE: 1/8" = 1'-0"



Area Floor Plan  
 A1 SCALE: 1/4" = 1'-0"

- ### New Cabinets & Equipment
- NEW STAINLESS STEEL BASE CABINET WITH DRAIN TRAY, SINK AND DISHWASHER.
  - NEW WOOD BASE CABINET WITH COUNTERTOP 45" TALL.
  - NEW WOOD BASE CABINET WITH COUNTERTOP 36" TALL.
  - NEW INVERSE BASE CABINET WITH STAINLESS STEEL COUNTERTOP AND GLASS DOORS 36" TALL.
  - NEW WOOD BASE CABINET WITH COUNTERTOP 36" TALL.
  - NEW REFRIGERATOR BASE CABINET WITH STAINLESS STEEL COUNTERTOP 36" TALL.

- ### 1/4" Scale Plan Notes
- EXISTING COUNTERTOP.
  - BOTTOM EDGE OF EXISTING RAMP.
  - NEW KNEE WALL 48" HIGH.
  - NEW 1/2" BASE OVER WOOD FLOORING. FINISH TO BE MATCHED TO EXISTING FINISH.
  - EDGE OF NEW FLOORING WITH TRANSITION TO WOOD FLOOR.

### LEGEND

- EXISTING CONSTRUCTION TO REMAIN
- NEW CONSTRUCTION W/ALL XYS @ 1/4" COAR WITH 1/4" OMP AND SOLD CAP
- NEW CABINETS AND EQUIPMENT

### Building Code Data

Applicable Code: Existing Building Code 2021  
 See existing Certificate of Occupancy & Building Permit for room work at the floor.  
 Use Group 1st Floor - AS (Occupancy (no change))  
 Occupants Allowed (no floor) - AS (Occupancy (no change))

Floor 1 - New Cabinets & Equipment  
 7 East Broad Street  
 RICHMOND, VA 23219  
 APRIL 11, 2023  
 rmi architecture pllc  
 3716 moss side ave  
 richmond, va 23222  
 804-399-9567  
 rmi@rmiarch.com



Building Permit No. 113523-2023  
 Issued on 01/23/2023  
 Issued by David L. Allen III  
 Commission of Buildings  
 State of Virginia  
 License No. 41139  
 Expires 4-11-2023



2-3

11

# CERTIFICATE OF

CITY OF RICHMOND  
DEPARTMENT OF PLANNING  
& DEVELOPMENT REVIEW

# OCCUPANCY

BUREAU OF PERMITS  
& INSPECTIONS

[PDRPermitsAndInspections@Richmondgov.com](mailto:PDRPermitsAndInspections@Richmondgov.com)

**ISSUE DATE: 12/29/2022**

To Request an inspection, call 311

## BLDC-103988-2022

**SITE ADDRESS:** 7 E Broad St  
Richmond, VA 23219

PARCEL NUMBER:W0000084002

**PERMIT DESCRIPTION:** Second and Third Floors: Tenant Fitup for Art Studios. New drywall and finishes as shown on the drawings.

OCCUPANCY LOAD/FLOOR:

NO. OF PARKING SPACES:

VALUATION GROUP: B10 - Business (Other)

VALUATION TYPE: Type IIIB

(Noncombustible/Combustible)

INSPECTOR NAME: David Alley

INSPECTOR PHONE: 804-513-6939

INSPECTOR EMAIL ADDRESS:David.Alley@rva.gov

### PERMIT CONTACT INFORMATION

OWNER NAME: Bap LLC

OWNER PHONE:

CONTRACTOR NAME: POWERS & WHITE INC

CONTRACTOR PHONE:8042160361

### FEE INFORMATION

Plan Review \$198.40

Administrative Handling

\$99.20

Permit Fee \$1,686.40

State Levy

\$39.68

**TOTAL FEES** \$2,023.68

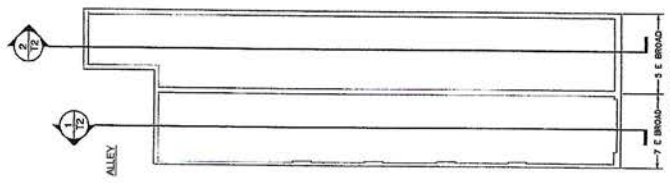
### SPECIAL TERMS AND CONDITIONS

Building: The submitted plans were reviewed per the 2015 Virginia Existing Building Code.

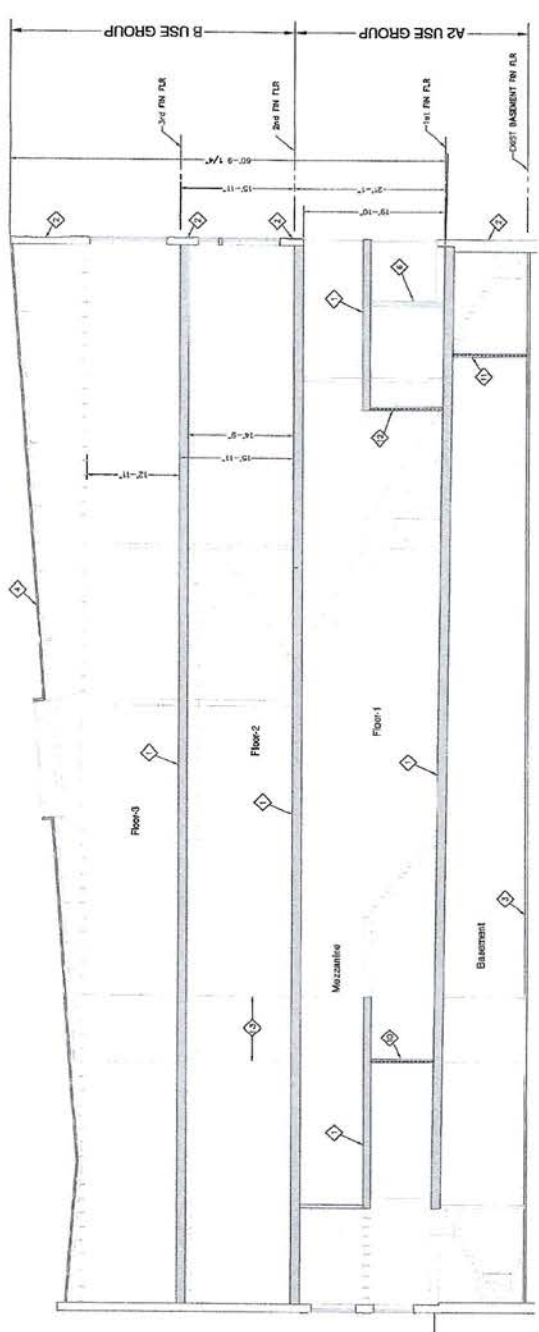
ZONING: Tenant fitup on 2nd and 3rd floors for art studios.

**David L. Alley III**  
**Commissioner of Buildings**

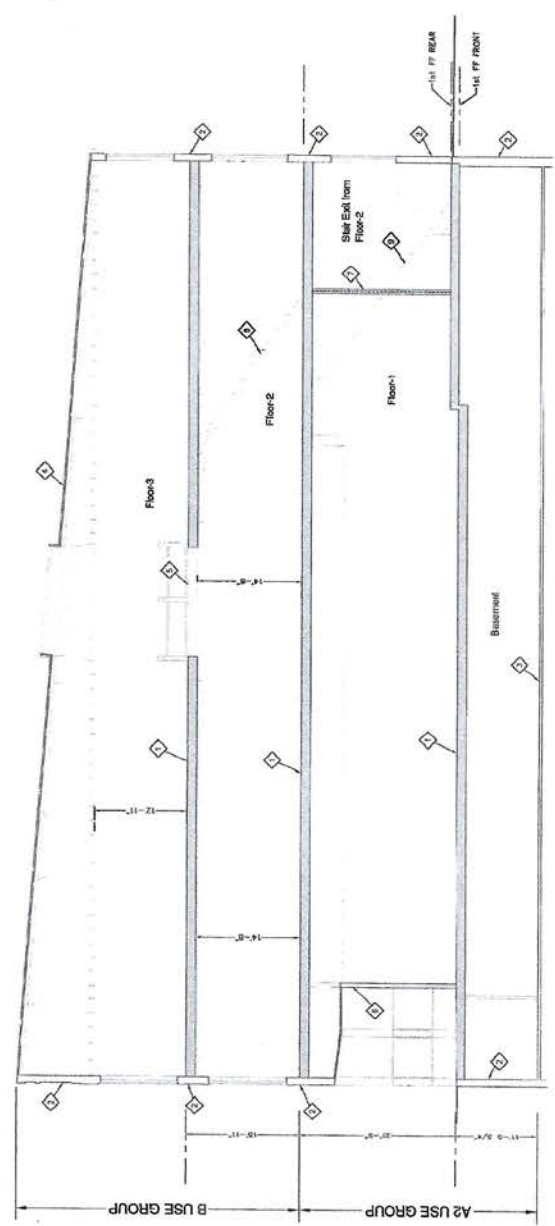




**Building Footprint**  
SCALE: 1/16" = 1'-0"



**SECTION THRU 5 EAST BROAD LOOKING WEST**  
SCALE: 1/8" = 1'-0"



**SECTION THRU 7 EAST BROAD LOOKING EAST**  
SCALE: 1/8" = 1'-0"

**Building Permit - Approved Construction Documents**  
This drawing is the property of the architect and is not to be used for any other project without the written consent of the architect. The architect is not responsible for any errors or omissions in this drawing. The contractor is responsible for obtaining all necessary permits and for complying with all applicable laws, codes, and regulations. The architect is not responsible for any construction delays or cost overruns. The contractor is responsible for obtaining all necessary permits and for complying with all applicable laws, codes, and regulations. The architect is not responsible for any construction delays or cost overruns.

**Section Notes**

1. THIS EXISTING FLOOR CEILING ASSEMBLY CONSTRUCTION IS TO BE MAINTAINED AND NOT TO BE ALTERED AT 5 & 7 EAST BROAD STREET.
2. EXISTING EXTERIOR MASONRY (BRICK) WALL.
3. EXISTING CONCRETE SLAB IN THE BASEMENT.
4. NEW ROOF INSULATION & MEMBRANE OVER EXISTING ROOF. SEE DETAIL FOR ALTERNATIONS AT 5 & 7 EAST BROAD STREET. INCLUDES NEW BRUSH IN EXISTING ROOF SPINDLES.
5. EXISTING LIGHT WELL OPENING BETWEEN FLOORS 2 & 1.
6. EXISTING TROUSERTOP AT CORNER/STREET LEVEL.
7. THIS EXISTING WALL IS THE (2) HOUR RATED TO SEPARATE BASEMENT FROM EXISTING FLOOR 1. SEE APPROVED BUILDING DEPARTMENT PERMITS FOR ALTERNATIONS AT 5 & 7 EAST BROAD STREET.
8. EXISTING OPEN STAIR FROM FLOOR TO DECK AT ALLEY.
9. EXISTING STAIR FROM FLOOR TO DECK AT ALLEY.
10. THIS EXISTING WALL IS THE (2) HOUR RATED TO SEPARATE BASEMENT FROM EXISTING FLOOR 1. SEE APPROVED BUILDING DEPARTMENT PERMITS FOR ALTERNATIONS AT 5 & 7 EAST BROAD STREET.
11. THIS EXISTING WALL IS THE (2) HOUR RATED TO THE FLOOR 1. EXISTING ROOF INSULATION & MEMBRANE OVER EXISTING ROOF. SEE DETAIL FOR ALTERNATIONS AT 5 & 7 EAST BROAD STREET.
12. THIS EXISTING WALL INCLUDING RATED ROOF OVER DOOR WITH DOUBLE LEAD IS THE (2) HOUR RATED TO SEPARATE BASEMENT FROM EXISTING FLOOR 1. SEE APPROVED BUILDING DEPARTMENT PERMITS FOR ALTERNATIONS AT 5 & 7 EAST BROAD STREET.
13. LOCATION OF ELEVATOR SHUTT THE (2) HOUR RATED BASEMENT TO FLOOR 2.

New Drawing  
June 7, 2022  
T2

Tenant Upfit  
Artist Studios Floor 2 and 3  
5 & 7 East Broad Street  
RICHMOND, VA 23219  
MARCH 16, 2022  
IRMI architecture  
3003 cedar street  
richmond 23222  
288-1174

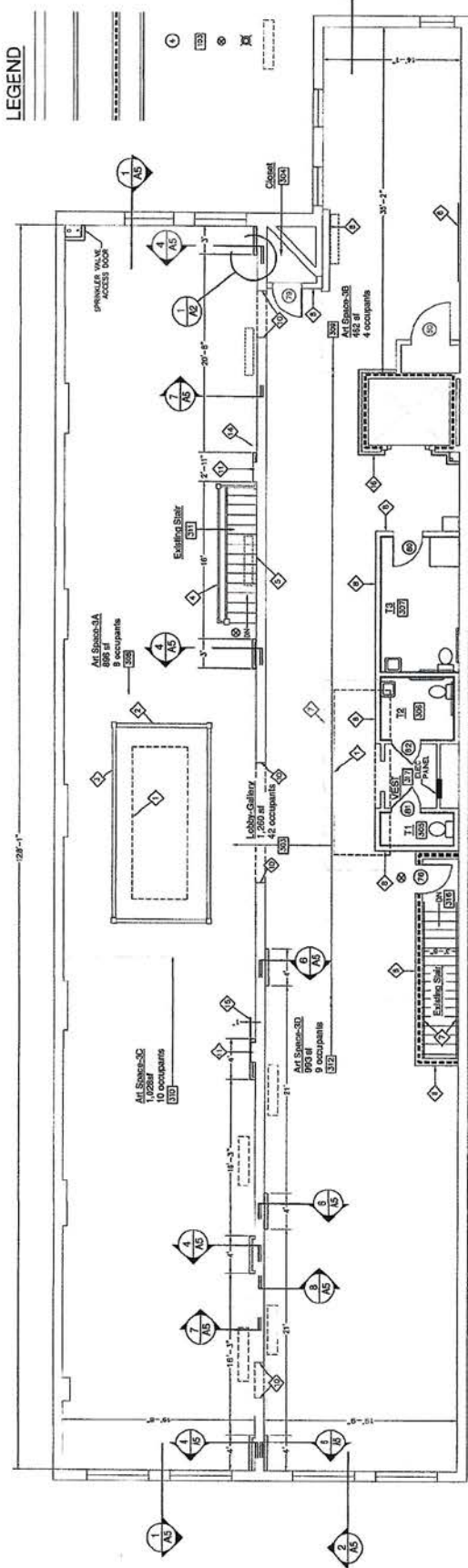


13



**LEGEND**

- EXISTING CONSTRUCTION TO REMAIN
- EXISTING BRICK WALLS HAVE A MIN
- NEW CONSTRUCTION 2x6 @ 16" OC 6" METAL
- STUDS @ 16" OC W/ 1/2" GIB
- EXISTING WALL CONSTRUCTION WITH 2 HOUR RAINING
- EXISTING METAL FRAMING - NEW GIB REQUIRED
- ROOM-OPENING NUMBERS SEE SCHEDULE
- SPACE MAKE SEE FINISH SCHEDULE
- NEW DET. LIGHT WITH
- EMERGENCY POWER
- NEW CESSUR LIGHT WITH
- EMERGENCY POWER
- HVAC MIN-SPLIT



**PLAN NOTES**

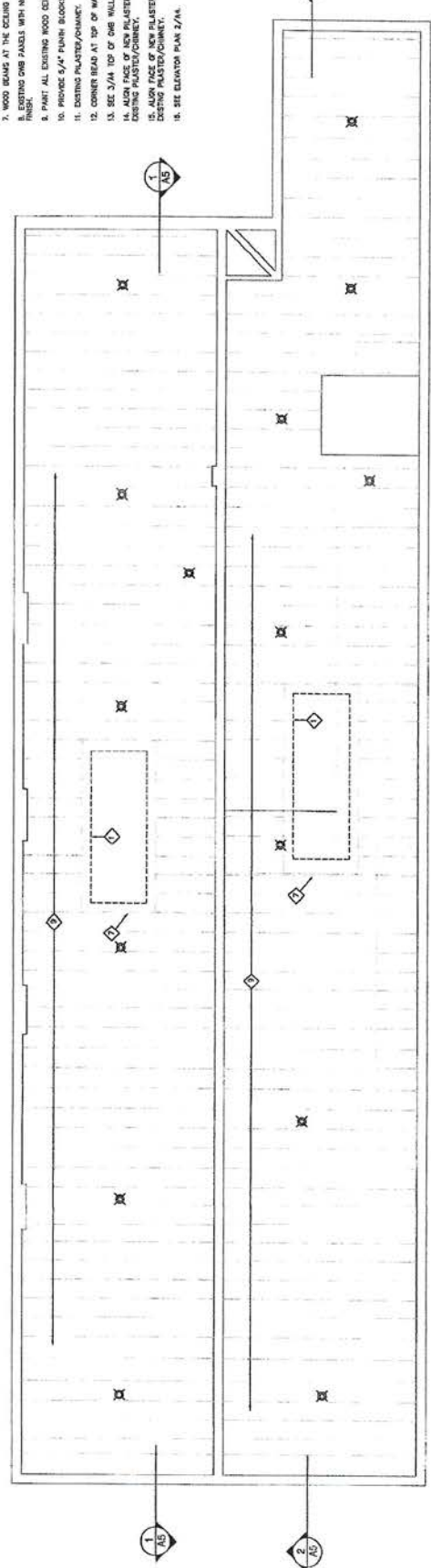
1. EXISTING SCHEDULE
2. OPENING TO THE FLOOR BELOW
3. CLEAN PROTS, BALS AND ROCKETS
4. CLEAN SPRINKERS
5. CLEAN SCRAPES AND PAINT THE METAL DOOR
6. WOOD BEAMS AT THE CEILING TRAMING LEVEL
7. EXISTING CHG PANELS WITH NO FINISH PROVIDE FACE AND FINISH
8. PAINT ALL EXISTING WOOD CEILING FRAMING
9. PROVIDE 5/4" PLYM. BLOCKS AT JAMB
10. EXISTING PLASTER/CHAMCK
11. CORNER HEAD AT 10' OF WALL/LEFT FLOOR
12. SEE 3/1A TOP OF ONE WALL 8'-4" HGT
13. PROVIDE 5/4" PLYM. BLOCKS TO MATCH FACE OF EXISTING PLASTER/CHAMCK
14. SEE ELEVATOR PLAN 2/1A

**3rd FLOOR**  
SCALE: 3/16" = 1'-0"

**3rd FLOOR-HVAC Loft**  
SCALE: 3/16" = 1'-0"

**GENERAL NOTES**

1. LIMIT ALL OF THE WORK BEFORE ANY INSTALLATION OF NEW CONSTRUCTION
2. SEE SCHEDULE FRAMING AND STRUCTURAL FRAMING AND VERIFY LOCATION, OF SEASON AND STRUCTURAL WORK VERIFY EXTENT OF WOOD FLOOR DEMOLITION, EXISTING WOOD FLOOR
3. DEMOLISHED. PROVIDE NEW WOOD FLOOR TO MATCH EXISTING WOOD FLOOR



**A3**  
Tenant Loft  
Artist Studios Floor 2 and 3  
5 & 7 East Broad Street  
RICHMOND, VA 23219  
MARCH 18, 2022  
rmi architecture  
303 cedar street  
richmond 23222  
269-1174



**3rd FLOOR-ATTIC-Reflected Ceiling Plan**  
SCALE: 3/16" = 1'-0"

**Building Permit - Approved Construction Documents**  
Under authority of the Building Code, the undersigned has reviewed the construction documents for the project described herein and has determined that they conform to the applicable provisions of the Building Code. This permit does not constitute an endorsement or approval of the quality of the work. The permit holder is responsible for obtaining all necessary permits from the appropriate authorities. The permit holder is responsible for obtaining all necessary permits from the appropriate authorities. The permit holder is responsible for obtaining all necessary permits from the appropriate authorities.  
20220302\_17 E Broad St\_0318-003 067-4-032  
4:22:37 PM

25

Documents Submitted  
By  
City of Richmond

(Page left blank intentionally)



## Table of Contents

**Address:** 7 E. Broad Street  
**Appeal #** B-01-2026-173897-2025

### Summary

- See Case Summary document dated 2/02/2026

### Appeal Response Document

- Appeal Response dated 2/02/2026

### Plan/Permit

- BLDC-173897-2025

**Plans:** none

### Plan Review Comments

- Exhibit 5 – Review Comments dated 12/17/2025

### Supporting Documents

- Exhibit 2 – Certificate of Occupancy issued 8/9/2022
- Exhibit 3 – Meeting Minutes dated 11/07/2025
- Exhibit 4 – Letter from Bill Laffoon dated 12/03/2025
- Exhibit 6 – Letter from Bill Laffoon dated 1/15/2026
- Exhibit 7 – Appeal letter from Bill Laffoon dated 1/16/2026
- Exhibit 8 – Fee Schedule dated 7/01/2024
- Exhibit 9 – Seal Requirements USBC 2021

### Emails

- Exhibit 1 - Clarification email dated 11/03/2025



## Case Summary

February 2, 2026

**Address:** 7 E. Broad Street

**Appeal #** B-01-2026-173897-2025

Plan Number BLDC-173897-2025 for 7 E Broad Street was entered in the City of Richmond permitting system on 10/10/25. The submitted application requested a Certificate of Occupancy for The Diner 2.0 Inc., a new nightclub taking over the previously approved nightclub space located at 7 E Broad Street. A second application was submitted for the same address requesting a Certificate of Occupancy for Richmond Lodge No. 4 of the Good Lions, Inc, a new tenant taking over the previously approved nightclub space. The same drawing was submitted under the two applications showing The Diner 2.0 Inc occupying the first floor of 7 E Broad Street and The Richmond Lodge No. 4 of the Good Lions, Inc occupying the first floor and mezzanine of 5 E Broad Street.

An e-mail was sent to the Applicant on 11/3/25 requesting clarification concerning the provided addresses and the proposed use of the basement not represented on the drawings but part of the previously issued Certificate of Occupancy. Refer to Attached Exhibit 1 for a copy of the referenced e-mail and Exhibit 2 for a copy of the previously issued Certificate of Occupancy.

A meeting was held in the permitting office on 11/7/25 to clarify the scope and project addresses. Refer to Exhibit 3 for a meeting minutes summary.

The application scope was updated in the system based on the meeting. It currently reads:

The Diner 2.0 Inc: A new tenant will occupy a portion of the nightclub established by Certificate of Occupancy BLDC-060914-2019 issued on 8/9/22 for the basement and first floor of both 5 and 7 E Broad Street. The Diner 2.0 Inc. will occupy the first floor of 7 E Broad Street. The first floor of 5 E Broad Street and the basement of both 5 and 7 E Broad Street will be under control of other tenants. The Diner 2.0 will share first floor bathrooms with a new tenant located on the first floor and mezzanine of 5 E Broad Street. No Construction is proposed.

A letter was received dated 12/3/25 in response to the meeting minutes. Refer to Exhibit 4.

Review comments for the submission and subsequent response letter were issued on 12/17/25. Refer to Exhibit 5.

A written letter was e-mailed to the City by the Applicant on 1/15/26 in response to the review comments, refer to Exhibit 6. An appeal letter was e-mailed to Ms. Felton at the City of Richmond on 1/16/26, refer to Exhibit 7.



## Appeal Response

February 2, 2026

**Address:** 7 E. Broad Street

**Appeal #** B-01-2026-173897-2025

Commercial Building Application: BLDC-173897-2025

**Appellant's Item 1:** The reviewer says a building permit is required. (three permits, one for each of the 2 new tenants, and one for the tenant remaining that occupies the basement).

No code section is referenced. Section 109.4 requires the code official to notify in writing the reasons for adverse determinations. The reviewer does not say why, does not reference the code section to support the review comment. A FOIA request has been made to see the code/documents the reviewer relies on.

### *City Staff's Response:*

*Section 26-876 from the 2020 Code of the City of Richmond Virginia requires a Certificate of Occupancy or a Certificate of Zoning Compliance to obtain a business license. This Section is regulated by the Finance Department not the Department of Planning & Development Review. The Department of Planning & Development Review will issue one or more Certificates of Occupancy once requested, the preestablished fees are paid, and if necessary, a review is done to ensure the requested Certificate(s) of Occupancy is/are accurate.*

***Sec. 26-876. - Certificate of occupancy or of zoning compliance to engage in business or occupation in building, structure or upon premises.***

*Every person desiring to obtain a license to engage in any business or profession, if such business or profession shall be conducted or engaged in within any building or structure or upon any premises or portion thereof, shall first obtain a certificate of occupancy, as required by the Virginia Uniform Statewide Building Code, or a certificate of zoning compliance, as required in Section 30-1020, in order to obtain any license to engage in a business or profession pursuant to this article.*

*(Code 1993, § 27-320; Code 2004, § 98-639; Code 2015, § 26-876)*

***Note:*** See subsection D of § 36-105 of the Code of Virginia for rules for permit fees involving property with easements or liens.

**Appellant's Item 2:** There is no work called for and no work needed for tenant changes with no change in occupancy. Section 108 lists conditions where building permits are required. There is no condition here that requires one or more building permits.

*City Staff's Response:*

*2021 Virginia Construction Code Section 108.1, item 2 indicates, "For change of occupancy, application for a permit shall be made when a new certificate of occupancy is required by the VEBC".*

*Subdividing the existing nightclub only meets the definition of Change of Occupancy if a greater degree of fire protection, means of egress or sanitation is required. Refer to the definition of Change of Occupancy below.*

**CHANGE OF OCCUPANCY.** *Either of the following shall be considered a change of occupancy where the current VCC requires a greater degree of structural strength, fire protection, means of egress, ventilation or sanitation than is existing in the current building or structure:*

- 1. Any change in the occupancy classification of a building or structure.*
- 2. Any change in the purpose of, or a change in the level of activity within, a building or structure.*

**Note:** *The use and occupancy classification of a building or structure, shall be determined in accordance with Chapter 3 of the VCC.*

*The applicant's request to subdivide the space potentially changes the level of activity. The City must evaluate the request to determine if item 2 in the definition of Change of Occupancy is applicable to the project by affecting the means of egress or sanitation requirements. Anytime a tenant space is subdivided the City must determine the new tenant spaces is no less conforming to the USBC than it was prior to the change. Below are examples of fire protection, egress, and sanitation requirements specified in the Uniform Statewide Building Code that could be applicable when a tenant space is subdivided.*

*Fire Protection: Virginia Construction Code Section 402.4.2.1 requires tenant spaces in a mall to be separated from other tenant spaces with a fire partition complying with Section 708.*

*Means of Egress: Virginia Construction Code Section 1016.2.1 states where more than one tenant occupies any one floor of a building, each tenant space shall be provided with access to the required exits without passing through adjacent tenant spaces unless the exception is met.*

*Sanitation: Subdividing a tenant space could limit access to the number of plumbing fixtures each tenant is required to provide as specified in Virginia Plumbing Code Table 403.1.*

*The Department of Planning and Development Review will evaluate the proposed change to ensure USBC requirements are being met related to the change. Virginia Construction Code Section 107.1, below, allows fees to be collected associated with the cost of enforcing the USBC.*

**107.1 Authority for charging fees.**

*In accordance with § 36-105 of the Code of Virginia, fees may be levied by the local governing body in order to defray the cost of enforcement of the USBC. With the exception of the levy collected pursuant to Section 107.2, fees levied pursuant to this section shall be used only to support the functions of the local building department.*

*The City of Richmond has three fees established for the issuance of a Certificate of Occupancy, (refer to Exhibit 8). A previously issued Certificate of Occupancy can be reprinted for \$32.00. If the Certificate of Occupancy request requires review for code compliance, the fee is \$131.00 provided no construction is proposed. The third type of Certificate of Occupancy request is for a temporary or partial Certificate of Occupancy. This type of CO request is also sometimes used for an administrative name change. For example, if a single new tenant were taking over the first floor and basement of both 5 and 7 E Broad Street, the change would be an administrative name change only and would not require review for compliance. The fee for this type of CO request is \$263.00. Refer to Exhibit 8 for the fee schedule.*

**Appellant's Item 3:** The reviewer says 1004.5 means that the occupant load cannot be less than the floor area divided by the occupant load factor, without exception, referring to number of toilets. The reviewer's interpretation is wrong. The code is clear that 1004 is for "determining the means of egress requirements".

In this existing building, plans approved by the city show that the egress capacity for each of the tenants exceeds what the allowable area requires for each tenant. This is a benefit of excess capacity for the number of occupants. There is no reason why the occupant load cannot be reduced further. There are city records showing this is an approved condition.

**City Staff's Response:**

*Occupant load is used to determine more than means of egress requirements. Table 403.1 in the 2021 Virginia Plumbing Code uses the occupant load to calculate the number of fixtures required. The calculated occupant loads will be compared to the number of plumbing fixtures each new tenant has access to.*

*The new reduced occupant load will appear on each Certificate of Occupancy requested. The previously issued Certificate of Occupancy for a single tenant occupying the entire first floor and basement, with an occupant load of 480, will no longer be accurate. It must be revised to represent the reduced area and occupant load.*

*In addition to appearing on the CO, both the Virginia Construction Code and Virginia Statewide Fire Prevention Code require the occupant load be posted in rooms or spaces with over 50 occupants. Refer to the code sections below. It is important the number posted is correct.*

*VCC 1004.9 Posting of occupant load.*

*Every room or space that is an assembly occupancy and where the occupant load of that room or space is 50 or more shall have the occupant load of the room or space posted for the intended configurations in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or the owner's authorized agent.*

*VSFPC 1004.9 Posting of occupant load.*

*Every room or space that is an assembly occupancy and where the occupant load of that room or space is 50 or more shall have the occupant load of the room or space posted in a conspicuous place near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or the owner's authorized agent.*

*Section 1004.5 of the 2021 Virginia Construction Code clearly states the occupant load shall not be less than the number determined by dividing the floor area under consideration by the occupant load factor assigned to the function of the space. There is an exception that can be granted by the building official. Refer to the code section below.*

*1004.5 Areas without fixed seating.*

*The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.5. For areas without fixed seating, the occupant load shall be not less than that number determined by dividing the floor area under consideration by the occupant load factor assigned to the function of the space as set forth in Table 1004.5. Where an intended function is not listed in Table 1004.5, the building official shall establish a function based on a listed function that most nearly resembles the intended function.*

*Exception: Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although*

*less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.*

**Appellant's Item 4:** The reviewer asks for information that is already on the drawings and/or included in the permit application.

*City Staff's Response:*

*Virginia Construction Code Section 116.2 of the 2021 Virginia Construction Code specifies information that must appear on a Certificate of Occupancy. Several listed items do not appear on the drawing submitted for review. For example, the submitted drawing does not indicate the edition of the USBC or if the space is protected by an automatic sprinkler system. The new Certificate of Occupancy must include this information.*

*116.2 Contents of certificate, 2021 VCC*

*A certificate of occupancy shall specify the following:*

- 1. The edition of the USBC under which the permit is issued.*
- 2. The group classification and occupancy in accordance with the provisions of Chapter 3*
- 3. The type of construction as defined in Chapter 6.*
- 4. If an automatic sprinkler system is provided and whether or not such system was required.*
- 5. Any special stipulations and conditions of the building permit and if any modifications were issued under the permit, there shall be a notation on the certificate that modifications were issued.*
- 6. Group R-5 occupancies complying with Section R320.3 of the VRC shall have a notation of compliance with that section on the certificate.*

**Appellant's Item 5:** The reviewer does not reference a code section based on comments from Rick Paul saying that each occupant shall have access to overcurrent devices. I assume the reference is to NEC 240.24. This is a multiple-occupancy building under the owners building management personnel, and this is the exception to "each occupant" requirement.

*City Staff's Response: Below is Section 240.24 from the 2020 NFPA 70*

*240.24 Locations in or on Premises.*

*(B) Occupancy. Each occupant shall have ready access to all overcurrent devices protecting the conductors supplying that occupancy, unless otherwise permitted in 240.24(B)(1) and (B)(2).*

*(1) Service and Feeder Overcurrent Devices. Where electric service and electrical maintenance are provided by the building management and where these are under continuous building management supervision, the service overcurrent devices and feeder overcurrent devices supplying more than once occupancy shall be permitted to be accessible only to authorized management personnel in the following:*

- (1) Multiple-occupancy buildings*
- (2) Guest rooms or guest suites*

*(2) Branch-Circuit Overcurrent Devices. Where electric service and electrical maintenance are provided by the building management and where these are under continuous building management supervision, the branch-circuit overcurrent devices supplying any guest rooms or guest suites without permanent provisions for cooking shall be permitted to be accessible only to authorized management personnel.*

*If the intent of the applicant is to claim an exception under 240.24 than the owner/applicant needs only provide a letter to the City confirming management personnel will be on site to maintain or service the equipment 24 hours a day, seven days a week.*

*If building management does not provide 24/7 continuous maintenance and service, please provide a written response on how the applicant will comply with 2020 NFPA 70 Section 240.24.*

**City Staff's Comments: Item 6 and 7 Clarification:**

*The drawing submitted with the City of Richmond Local Board of Building Code Appeals package does not include items 6 and 7, (see Exhibit 7). It is unclear what comment or comments are considered more restrictive than the building code requires. A separate letter was received from Mr. Laffoon dated 1/15/26 (see Exhibit 6). The 1/15/26*

*correspondence included a marked up copy of the review comments with the 1 through 5 numbers tagged to different review notes. The 1/15/26 correspondence also included a marked up copy of an e-mail summarizing the meeting held at City Hall on 11/3/25. The meeting minutes are marked with items 6 and 7. Our assumption is items 6 and 7 referenced in the 1/16/26 letter this document responds to refer to items 6 and 7 marked on the meeting minutes tied to the 1/15/26 letter. If this is incorrect, please clarify. Below are responses to items 6 and 7 as we understand them.*

**Appellant's Item 6:** See Code of Virginia 36-119.1 Existing Buildings.

This chapter shall not supersede provisions of the Fire Prevention Code promulgated by the Board under § 27-97, that prescribe standards to be complied with in existing buildings or structures, provided that such regulations shall not impose requirements that are more restrictive than those of the Uniform Statewide Building Code under which the buildings or structures were constructed. Subsequent alteration, enlargement, rehabilitation, repair, or conversion of the occupancy classification of such buildings and structures shall be subject to the construction and rehabilitation provisions of the Building Code.

The code official is imposing a requirement more restrictive than the Building Code, and law prohibits that.

*City Staff's Response:*

*Refer to Exhibit 9 taken from the 2021 Virginia Building and Fire Code Related Regulations document stating when construction documents require a seal. Please refer to the 2021 Virginia Construction Code definition of Construction Documents below.*

*CONSTRUCTION DOCUMENTS. Written, graphic and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of a project necessary for obtaining a building permit.*

**Appellant's Item 7:** See Section 102 Existing Building Code, Purpose and Code of Virginia 36-99.01

The conditions that the code official requires contradict the purpose of the building code and Code of Virginia.

*City Staff's Response:*

*The e-mail (Exhibit 7) this item questions is dated 11/3/25. It predates the review comments issued on 12/17/25. After the 11/3/25 e-mail was sent it was made clear a door opening in the wall that separates 5 and 7 East Broad Streets that appears in the approved drawings tied to Permit BLDC-060914-2019 was enclosed as part of a post*

*permit revision and therefore does not need to be included in the pending application. The rating of this wall is irrelevant since the wall opening is existing.*

*As stated previously the code summary must include the information required on the requested Certificate of Occupancy.*

*The meeting held on 11/7/25 clarified the basement is not part of the first-floor tenant spaces and instead is a third tenant space. The meeting also clarified "The Diner 2.0, Inc." and "Richmond Lodge No. 4 of the Good Lions, Inc." will share the restrooms on the first level. It was discussed at the meeting that locked doors cannot be added between the tenant spaces without permit approval. Refer to Exhibit 3 attached for the 11/7/25 meeting summary.*

# **Exhibit 1**

Clarification e-mail dated  
11/3/25

# **Exhibit 2**

Certificate of Occupancy

issued 8/9/22

# **Exhibit 3**

## Meeting Minutes

11/7/25

**Dickson, Michelle L. - PDR**

---

**From:** Dickson, Michelle L. - PDR  
**Sent:** Friday, November 7, 2025 12:29 PM  
**To:** 'rml303@aol.com'  
**Cc:** Alley, David L. - PDR; Mouer, Daniel K. - PDR; Paul, IV. Rick F. - PDR; Harold, Susan A. - PDR  
**Subject:** 5 and 7 E Broad Street Meeting Summary

Good afternoon Mr. Laffoon:

Thank you for coming in this morning. Below is the requested meeting summary. Please let me know if any adjustments are required.

- Plan BLDC-174038-2025 was changed to 5 East Broad Street in the City permitting software to match the City's property database.
- The City of Richmond requires Building Permit applications and not "H Permit" applications for the new Certificates of Occupancy. A plan reviewer needs to confirm splitting the single tenant space into three is code compliant.
- A third building permit application is required to reduce the occupant load of the basement tenant space. The application will be applied for under 5 East Broad Street. The CO will clearly state the basement tenant space combines the basements of both 5 and 7 E Broad Street.
- The Certificate of Occupancies generated for "The Diner 2.0, Inc." and "Richmond Lodge No. 4 of the Good Lions, Inc." will clearly state the shared restrooms and means of egress shall always be available to both tenants. Locked doors can not be added between the tenant spaces and the shared areas without permit approval.
- The combined bathroom plumbing calculations will include the restrooms on the mezzanine of 5 East Broad Street.
- The stair represented on the 7 East Broad Street mezzanine floor plan represents the stair from the first floor to the second floor. The only mezzanine space accessible to the patrons is located on the 5 East Broad Street side. The HVAC room illustrated will be accessed by ladder.
- The occupant load calculations of the two first floor/mezzanine tenant spaces will be specific to the individual addresses even though the restrooms are shared.
- Sealed drawings are required due to the A-2 use classification.
- David Alley and Rick Paul will contact William at 804-218-2204 to meet on site to look at the electrical panels. They will follow up with the group clarifying if the basement electrical room must be accessible to all tenants in the building.

Please notify me once documents are uploaded for review, so I am aware the project is awaiting my attention. Thank you and have a good weekend.

Respectfully,

Michelle

# **Exhibit 4**

Letter from Bill Laffoon

12/3/25



3716 moss side ave **richmond** virginia 23222 rml303@aol.com 269-1174  
architecture pllc

December 3, 2025

Ms. Michelle Dickson, Buildings Plan Examiner  
City Hall, Room 110,  
900 East Broad Street  
Richmond, VA 23219 via email and uspo

REF: H Permits for tenant changes at 7 East Broad Street first floor

Dear Michelle,

Sorry for the late reply to your February 7 email. I am wondering why you and the others in the meeting November 7 have confusion about multiple tenants on the first floor. My comments from 6-7-2022 in reply to your plan review and the 6-21-2022 plans that you approved for floors 2 and 3 where there are multiple (not separated) tenants on both floors, are attached. I do not recall confusion then.

The H permit drawings have been revised as a reviewer has determined that the individual tenant spaces must be designated as suites. That has been done.

My notes from the Nov 7 meeting and other correspondence show that I have asked multiple times for the reviewer to "provide the building code section(s) that prohibits a change in tenants as shown on the drawings". That has not been done.

Please provide me with the building code section(s) that the city is relying on in the refusal to issue the H permits, or other sufficient documentation, for a new tenant to get a business license where there is an existing certificate of occupancy and there is no change in the occupancy group or classification.

With kindest regards,

Bill Laffoon RA

Copy to: David Alley, Daniel Mouer, Rick Paul, Susan Harold

Attachments: 7 e broad review comments with reply and approved permit drawings  
Emails from Michelle Dickson Feb 3-5-7

# **Exhibit 5**

## **Review Comments**

**12/17/25**



3716 moss side ave **richmond** virginia 23222 rml303@aol.com 269-1174  
architecture pllc

December 3, 2025

Ms. Michelle Dickson, Buildings Plan Examiner  
City Hall, Room 110,  
900 East Broad Street  
Richmond, VA 23219 via email and uspo

Attached is the Certificate of Occupancy generated by permit BLDC-103988-2022. It was issued for second and third floor art studios. The CO does not include the business name of multiple tenants with their associated occupant loads.

REF: H Permits for tenant changes at 7 East Broad Street first floor

Dear Michelle,

Sorry for the late reply to your February 7 email. I am wondering why you and the others in the meeting November 7 have confusion about multiple tenants on the first floor. My comments from 6-7-2022 in reply to your plan review and the 6-21-2022 plans that you approved for floors 2 and 3 where there are multiple (not separated) tenants on both floors, are attached. I do not recall confusion then.

The H permit drawings have been revised as a reviewer has determined that the individual tenant spaces must be designated as suites. That has been done.

My notes from the Nov 7 meeting and other correspondence show that I have asked multiple times for the reviewer to "provide the building code section(s) that prohibits a change in tenants as shown on the drawings". That has not been done.

Changing tenants is not prohibited. Once the requested information is received, a permit for the requested change of tenants will be issued.

Please provide me with the building code section(s) that the city is relying on in the refusal to issue the H permits, or other sufficient documentation, for a new tenant to get a business license where there is an existing certificate of occupancy and there is no change in the occupancy group or classification.

As discussed in the 11/7/25 meeting, the address for Diner 2.0 Inc is 7 East Broad Street. The address for Richmond Lodge No.4 of the Good Lions, Inc is 5 East Broad Street. The third tenant space in the basement occupies both addresses.

With kindest regards,

The building code does not reference "H Permits". This City of Richmond created application type would be applicable if a new nightclub tenant was moving into the first floor and basement tenant space defined by the Certificate of Occupancy issued on 8/9/22. Because the space is being split into three tenant spaces with reduced occupant loads a building permit is required. Each CO will list the name of the new business. This will assist the business in obtaining the desired business license.

Bill Laffoon RA

Copy to: David Alley, Daniel Mouer, Rick Paul, Susan Harold

Attachments: 7 e broad review comments with reply and approved permit drawings  
Emails from Michelle Dickson Feb 3-5-7

The Diner 2.0 Inc. A new tenant will occupy a portion of the first floor of 7 E Broad Street. The tenant will occupy the first floor of 7 E Broad Street. The basement is not included in the newly delineated night club or restaurant. The Diner 2.0 will share first floor bathrooms with a new tenant located on the first floor and mezzanine of 5 E Broad Street. No Construction is proposed.

**Building Code:** 2021 Virginia Existing Building Code

**Construction Type:** IIIB?

**Use Classification:** A-2

**Occupant Load:** 81?

**Sprinkler:** Fully Protected??

Per the 11/3/25 e-mail, please provide a code summary specifying the building code, construction type, use classification, and sprinkler information.

Please clarify in the provided description if The Diner 2.0 is a restaurant or a nightclub.

# CERTIFICATE OF OCCUPANCY

ISSUE DATE: 8/9/2022

## BLDC-060914-2019

PARCEL NUMBER: W0000084002

**PERMIT DESCRIPTION:** Finish Work Begun Under Previous Permit to Comply with Current Building Code - VIBC 2015. Revisions received 7/20/2021.

**OCCUPANCY LOAD/FLOOR:** Basement & 1st Floor=480

**VALUATION GROUP:** A2A - Nightclub  
**INSPECTOR NAME:** Donald Drummond  
**INSPECTOR EMAIL ADDRESS:** Donald.Drummond@va.gov  
**INSPECTOR PHONE:** 804-389-3967

**PERMIT CONTACT INFORMATION**  
**OWNER NAME:** Bdp LLC  
**CONTRACTOR NAME:** owner - contractor  
**OWNER PHONE:**  
**CONTRACTOR PHONE:** 0000000000

**FEE INFORMATION**  
**Plan Review:** \$420.25  
**Permit Fee:** \$3,572.12  
**Administrative Handling:** \$210.13  
**TOTAL FEES:** \$4,715.21

**SPECIAL TERMS AND CONDITIONS**  
 Building: Nightclub, continuation of nonconforming use on Basement & 1st Floors.  
 VIBC 2015 Compliance Alternative

**Zoning:** Nightclub, continuation of nonconforming use. No parking required for use in the B-4 zoning district.

David L. Alley III  
 Commissioner of Buildings

900 EAST BROAD STREET, ROOM 1110 • RICHMOND, VA 23219 • 804.646.4160 • FAX: 804.646.1860

**CERTIFICATE OF OCCUPANCY APPLICATION**

THIS IS AN APPLICATION ONLY. IT IS NOT AUTHORIZATION TO START ANY WORK. NO WORK SHALL START UNTIL A PERMIT IS POSTED ON THE JOB SITE.

Project Name: Diner 2.0 Inc.  
 Address: 3300 Norfolk St, Rm 2320  
 City: Richmond, VA 23220

Applicant: Bdp LLC  
 Contact: Donald Drummond  
 Phone: 804-389-3967

Use Classification: A-2  
 Construction Type: IIIB  
 Occupant Load: 81

Permitted Use: Nightclub

Inspector: Donald Drummond

The Certificate of Occupancy above was issued for the first floor, mezzanine, and basement of both 5 and 7 E Broad Street. Because the space is being split into three tenant spaces operated by three different businesses with reduced occupant loads a building permit is required not a "H permit".

**CERTIFICATE OF OCCUPANCY APPLICATION**

THIS IS AN APPLICATION ONLY. IT IS NOT AUTHORIZATION TO START ANY WORK. NO WORK SHALL START UNTIL A PERMIT IS POSTED ON THE JOB SITE.

Project Name: Richmond Lodge No. 4 of the Hood Lotts, Inc.  
 Address: 7 E Broad Street  
 City: Richmond, VA 23220

Applicant: Richmond Lodge No. 4 of the Hood Lotts, Inc.  
 Contact: Donald Drummond  
 Phone: 804-389-3967

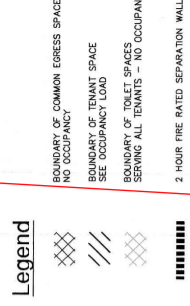
Use Classification: A-2  
 Construction Type: IIIB  
 Occupant Load: 77?

Permitted Use: Nightclub

Inspector: Donald Drummond

Exhibit No. 5  
 Page 3 of 3

Per Table 1004.5 of the 2021 Virginia Construction Code, the occupant load factor for kitchens is 200 gross.



**Occupancy Load**  
 Existing Occupancy Load Floor-1 = 289 occupants  
 Proposed Occupancy Load Floor-1 = 777

The Diner 2.0 Inc.  
 Kitchen = 704 sq/ft @ 20 sq/ft per occupant = 35 occupants  
 Seating = 1,157 sq/ft @ 15 sq/ft per occupant = 77 occupants  
 Total occupants = 113 occupants

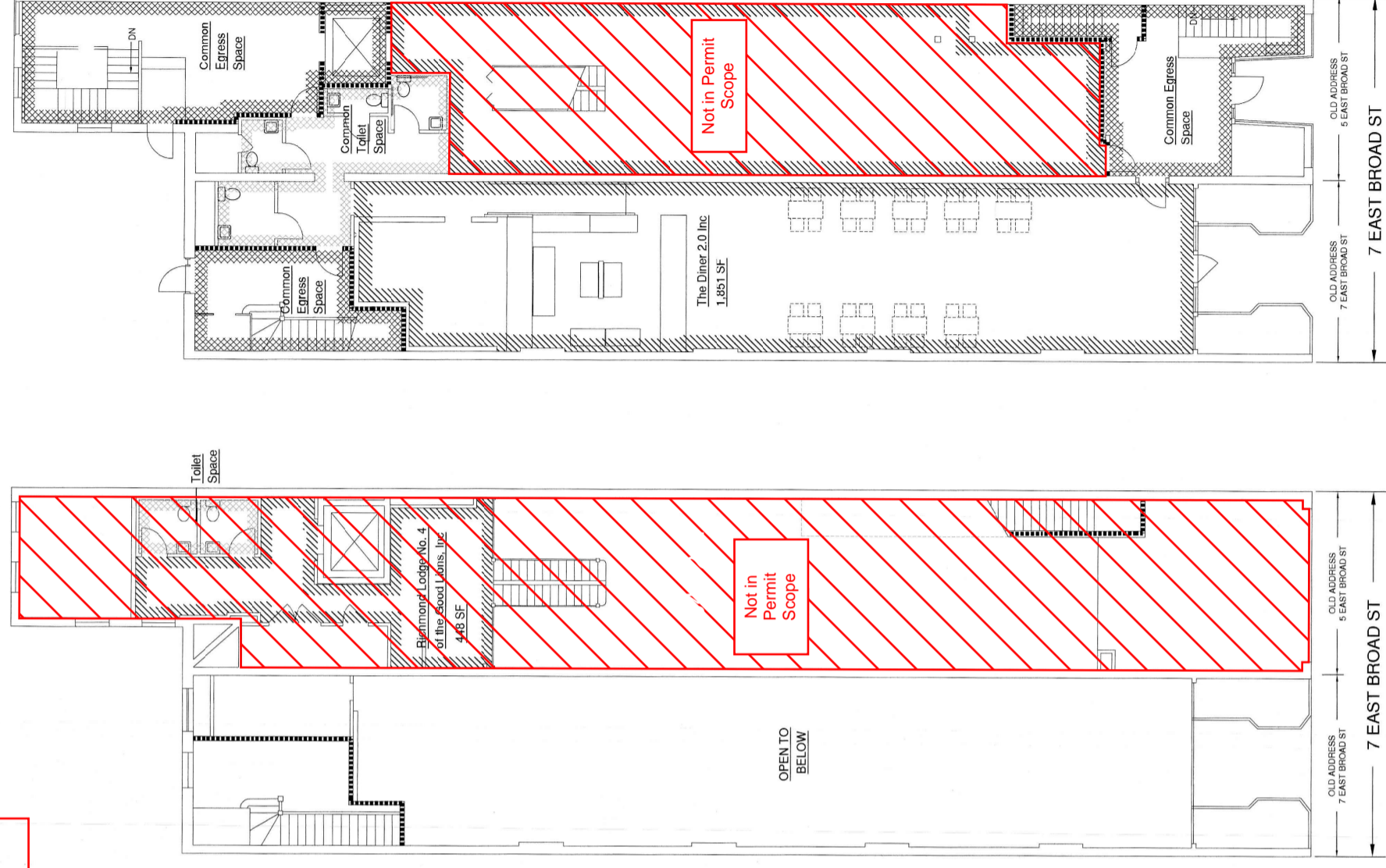
Per Virginia Construction Code Section, 1004.5 the occupant load shall be not less than that number determined by dividing the floor area under consideration by the occupant load factor assigned to the function of the space as set forth in Table 1004.5. (You must round up.)

As discussed in the 11/7/25 meeting sealed drawings are required due to the A-2 use classification and a third building permit application is required to reduce the occupant load of the basement tenant space. The application will be applied for under 5 E Broad Street. The CO will clearly state the basement tenant space combines the basements of both 5 and 7 E Broad Street.

Please note per the 11/7/25 meeting Rick Paul and David Alley will contact William at 804-218-2204 to meet on site to look at the electrical panels. They will follow up with the group clarifying if the basement electrical room must be accessible to all building tenants.

A1

New Tenants at Floor-1  
 7 East Broad Street  
 RICHMOND, VA 23219  
 OCTOBER 2, 2025  
 rml architecture pllc  
 3716 moss side ave  
 richmond 23222  
 269-1174  
 rml903@aol.com



2 Mezzanine Plan  
 A1 SCALE: 1/8" = 1'-0"

1 1st Floor Plan  
 A1 SCALE: 1/8" = 1'-0"

# **Exhibit 6**

Letter from Bill Laffoon

1/15/26

# **Exhibit 7**

Appeal Letter from Bill Laffoon

1/16/26

**Exhibit 8**  
Fee Schedule  
7/1/24



# City of Richmond Fee Schedule

Department of Planning & Development Review, Bureau of Permits and Inspections  
 900 East Broad Street, Room 108  
 Richmond, Virginia 23219  
 Office: (804) 646-4169

<https://www.rva.gov/planning-development-review/permits-and-inspections>

## EFFECTIVE 07/01/2024

The minimum administrative fee for permits which have been either withdrawn or rejected shall be five percent (5%) of the initial permit fee but in no case less than twenty five dollars (\$25.00).

The minimum plans review for permits which have been either withdrawn (where the subject review has been undertaken) or rejected shall be ten percent (10%) of the initial permit fee, but in no case less than twenty five dollars (\$25.00).

Any minimum revised plan fee once a permit has been issued shall be ten percent (10%) of the initial permit fee, but in no case less than thirty dollars (\$30.00).

Any excess fee greater than two dollars (\$2.00) shall be returned to the permit holder upon written request.

**A building, mechanical, sign, electrical, security, plumbing, gas-piping, tank, fire alarm, sprinkler, hood/fire suppression, civil/storm water, demolition, or elevator permit to erect, construct, reconstruct, enlarge, extend, repair, structurally alter or move a building or structure shall be calculated as follows:**

***NOTE: For all permits, a 2.0% state surcharge is added to the final calculated fee. Value of work equals the higher of either the Contractor estimate or RS Means price.***

### Residential only – 1 & 2 Family

Value of Work	Permit Fee
\$0 – \$2,000	<b>\$63.00</b>
Over \$2,000	<b>\$63.00*</b>

\* Add \$6.07 per thousand or fraction thereof for residential construction.

### Commercial only

Value of Work	Permit Fee
\$0 – \$2,000	<b>\$131.00</b>
Over \$2,000	<b>\$131.00**</b>

\*\* Add \$8.50 per thousand or fraction thereof for commercial construction.

### Demolition:

Residential **\$184.00**      Commercial **\$368.00\*\*\***

**\*\*\*For commercial structures up to 10,000 feet of floor area; add an additional \$.01 per square foot floor area above 10,000 square feet, not to exceed a maximum of \$1,000.00.**

### Inspection Fees:

**Re-inspection or Failure to Appear** for an on-site inspection other than a required inspection or Special Inspection during normal working hours (request for an on-site inspection not required at the time of the request).

Residential **\$32.00**      Commercial **\$63.00**

**After Hours Inspection: \$110.00 per hour**

(Weekdays 5:00 PM to 8:00 AM; Weekends; Holidays)

**Egress Lighting Test Changes:**

Initial **\$95.00 per hour**  
 Retests Due Failure **\$184.00 per hour anytime**  
 (Weekdays 5:00 PM to 8:00 AM; Weekends; Holidays)

**Board of Appeals: \$184.00**  
 (Building, Electrical, Mechanical, or Plumbing Board of Appeals)

**Building Maintenance Code:**

Certificate of Occupancy **\$263.00**  
 (Includes temporary and partial)  
 Reprinting of Certificate of Occupancy **\$32.00**

**Code Modification Request:**

Code Modification Fee **\$125.00\***  
 (\*per code section modified, maximum fee \$375.00, per submission)

**Small Business Permits:**

Permit Fee **\$300.00**

**Sidewalk Café Permits:**

Permit Fee **\$150.00**

**Dance Hall Applications:**

1<sup>st</sup> time and renewing application fee **\$100.00**

**Working Without a Permit Investigation:**

Investigation of “Stop Work” order **\$400.00** (per permit)

**Electrical Certification for Change in Use:**

Inspection and write up of report **\$60.00 per hour**  
 Fee for after hours inspection **\$90.00 per hour**  
 (Weekdays 5:00 PM to 8:00 AM; Weekends; Holidays)

**Elevator Processing Fees:**

Final Acceptance of New Elevators or Elevator Modernizations **\$230.00**  
 Elevator Accidents, complaints and Emergencies **\$63.00 per hour**  
 Billing of Administrative Support Time **\$50.00 per hour**

**Annual Elevator Inspection with Test:**

Elevator Type	Fee	Elevator Type	Fee
Cable Elevators		Hydraulic	<b>\$150.00</b>
1 – 4 Floors/Openings	<b>\$150.00</b>	Escalator	<b>\$150.00</b>
5 – 10 Floors/Openings	<b>\$175.00</b>	Miscellaneous units not listed above	<b>\$100.00</b>
> 10 Floors/Openings	<b>\$200.00</b>	Certification Processing Fee	<b>\$40.00 each</b>
Cable Hydraulic	<b>\$150.00</b>	Re-inspections	<b>\$50.00 per visit</b>

**Mid-Year Inspection Without Test:**

Annual Inspection **\$125.00**

**Total Fee for Annual Elevator Inspection with Test consists of Certification Processing Fee plus the fee for the Elevator Type**

New Work (including re-inspections after lock out) refer to the permit application fees.

**Charge for re-stamping of approved plans (per set):**

Residential **\$32.00 per set**      Commercial **\$55.00 per set**

**Charge for permit extensions: \$25.00**

**Charge for Reprinting of a Certificate of Occupancy \$32.00**

# **Exhibit 9**

## **Seal Requirements**

**USBC 2021**

## 2021 Virginia Building and Fire Code Related Regulations

### LICENSED ARCHITECT OR PROFESSIONAL ENGINEER (A/E) SEAL ON CONSTRUCTION DOCUMENTS

#### CHART A - GENERAL DESIGN

Construction documents for buildings or structures require A/E design as indicated below. Electrical installations and plumbing and mechanical systems are addressed separately in Charts B and C.

GROUP CLASSIFICATION	DESCRIPTION	FLOOR AREA IN SQUARE FEET			HEIGHT	
		Total net not exceeding 5,000	Total net not exceeding 5,000, but not exceeding 15,000	Total net not exceeding 15,000	Not exceeding three stories	Exceeding three stories
A	Assembly (all except churches)	Yes	Yes	Yes	Yes	Yes
A-3	Churches only	No if occupant load of 100 or less	Yes	Yes	No if occupant load of 100 or less	Yes
B	Business	No	Yes	Yes	No	Yes
E	Educational	Yes	Yes	Yes	Yes	Yes
F	Factory and Industrial	No	No	Yes	No	Yes
H	High Hazard	Yes	Yes	Yes	Yes	Yes
I	Institutional	Yes	Yes	Yes	Yes	Yes
M	Mercantile	No	Yes	Yes	No	Yes
R-1	Hotels, motels, etc.	Yes	Yes	Yes	Yes	Yes
R-2, R-3, R-4 and R-5	Residential housing, etc.	No	No	No	No	Yes
S	Storage	No	No	Yes	No	Yes
U	Utility and Miscellaneous	See Note 6				

**Notes:**

1. In accordance with § 54.1-410(A) of the Code of Virginia, officials of local building departments may require A/E design even if not required by state law.
2. Exempt construction documents must bear the name and address of the author and his or her occupation.
3. In accordance with § 54.1-402(B)(1) of the Code of Virginia, construction documents for any unique design of structural elements for floors, walls, roofs or foundations are required to have A/E design.
4. In accordance with § 54.1-402(A)(9) of the Code of Virginia, building or structures which are not otherwise exempted but which are of standard design are not required to have A/E design, provided they bear the certification of a professional engineer or architect registered or licensed in another state, and provided that the design is adapted for the specific location and for conformity with local codes, ordinances and regulations, and is so certified by a professional engineer or architect licensed in Virginia.
5. In accordance with § 54.1-402(A)(5) of the Code of Virginia, additions, remodeling or interior design without a change in occupancy or occupancy load and without modification to the structural system or a change in access or exit patterns or increase in fire hazard are not required to have A/E design.
6. Group U includes agricultural (farm) buildings and structures which are exempt

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from the Uniform Statewide Building Code (USBC). In addition, Group U retaining walls with less than three feet of unbalanced fill and fences do not require permits under the USBC. Other Group U structures such as bridges, towers, private garages, tanks, etc., may require A/E design at the discretion of the local building official.

Exhibit No. 9  
Page 2 of 2

Additional Documents  
Submitted By  
William Laffoon

(Page left blank intentionally)

All photos taken by Bill Laffoon

Photo 21 taken April 30, 2026. Photo 23 taken May 25, 2023  
All other photos taken May 5, 2026



Photo-1 Front entrance building 7 E Broad Street. Formerly 5 and 7 E. Broad St.



Photo-2 Rear of building 7 E Broad show exit doors from 5 and 7 side

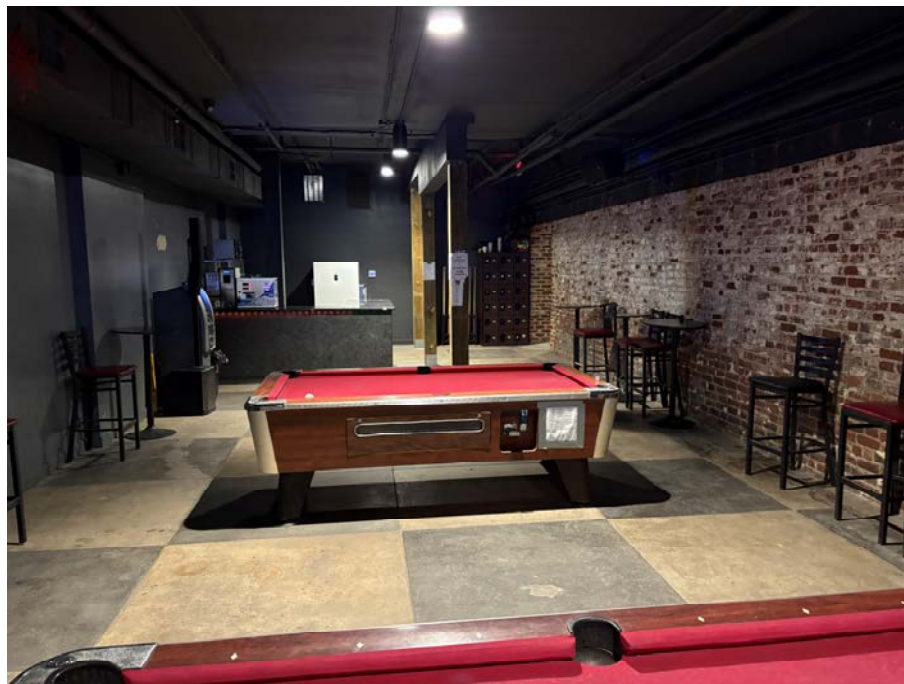


Photo-3 Interior Basement 7 side looking to rear alley

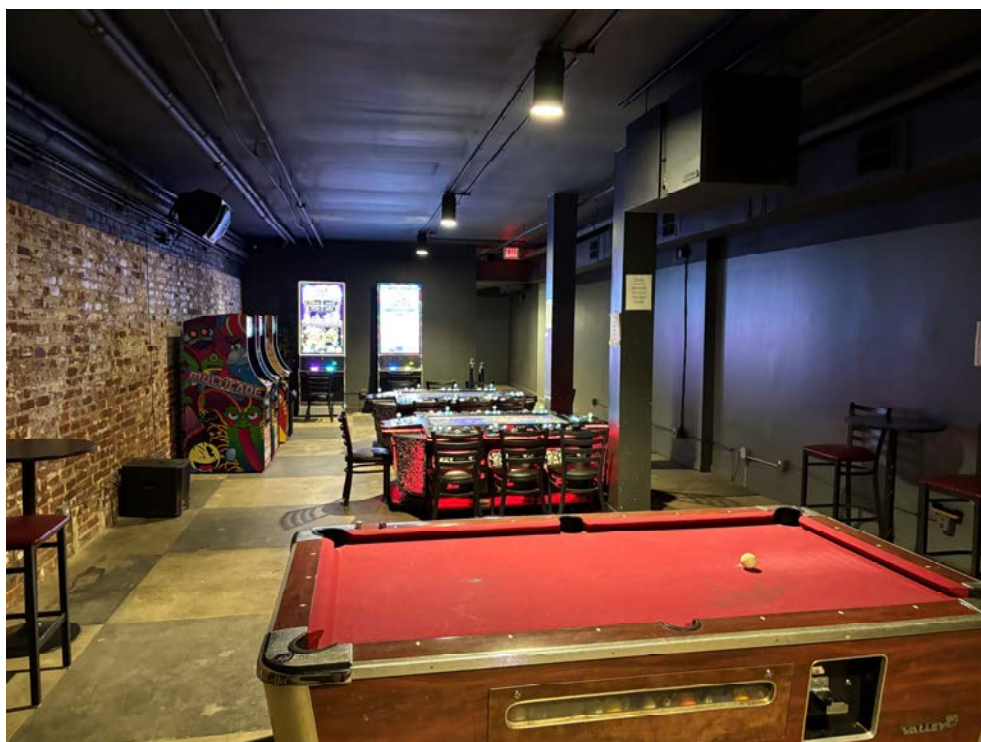


Photo-4 Interior Basement 7 side looking to front Broad St



Photo-5 Interior Basement 5 side looking to the front Broad St

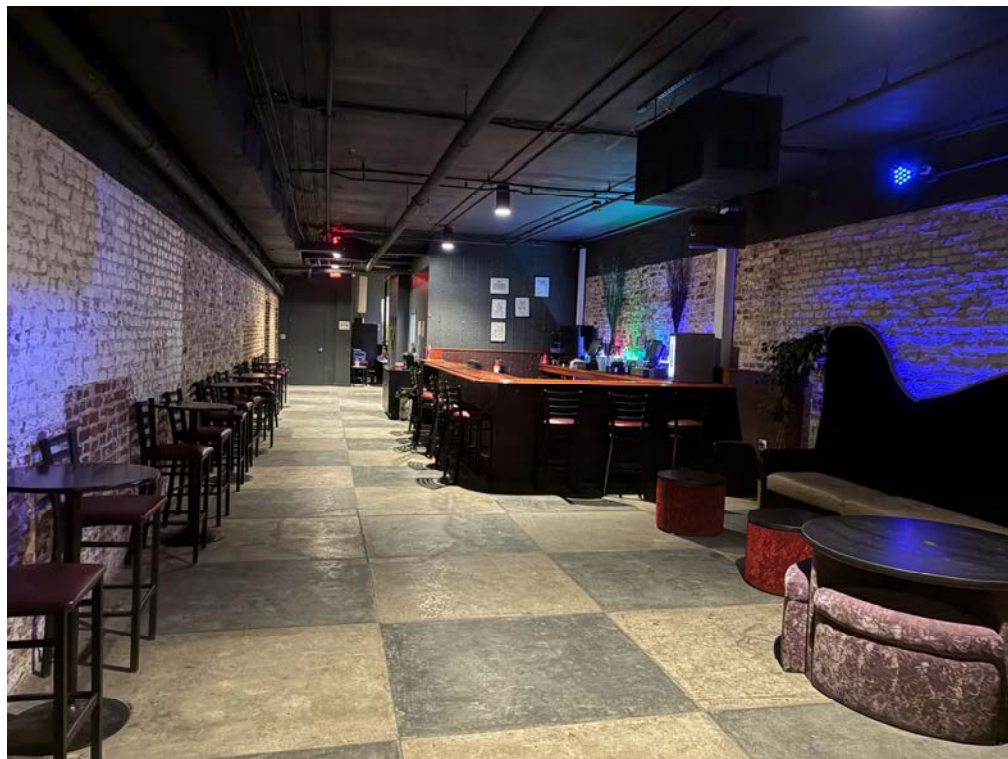


Photo-6 Interior Basement 5 side looking to the front Broad St

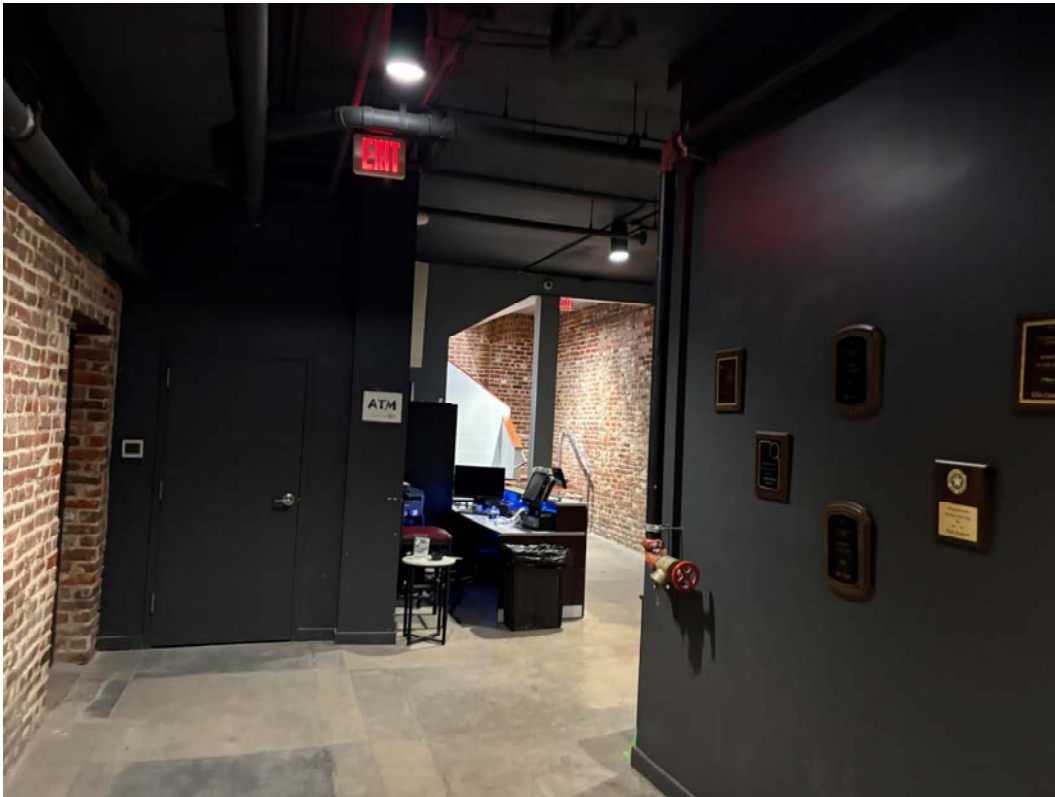


Photo-7 Interior Basement 5 side looking to rear exit stair



Photo-8 Interior Basement 5 side looking to rear exit stair



Photo-9 Interior 5 side rear exit stair from basement

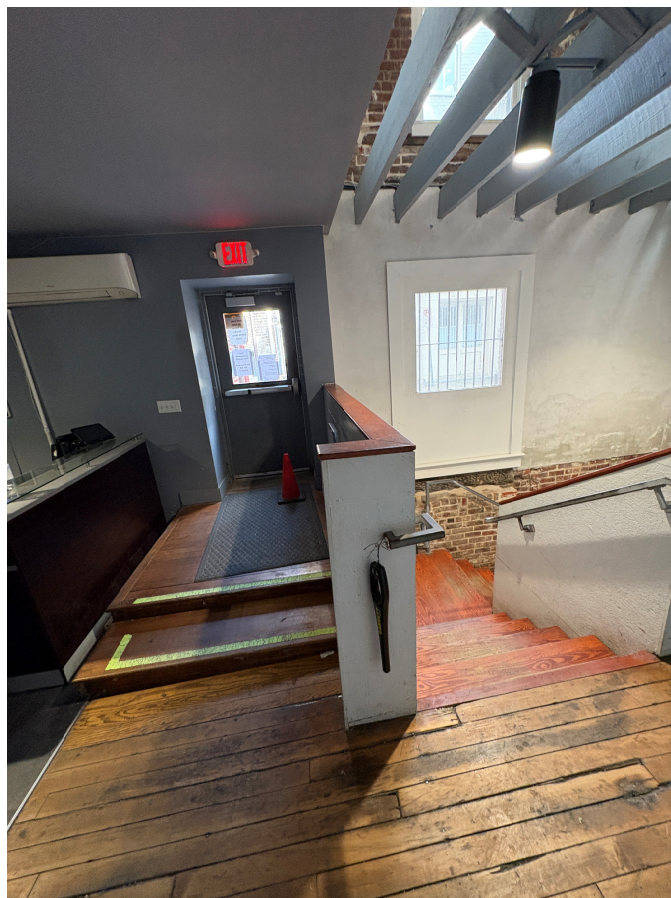


Photo-10 Interior 5 side rear exit stair from basement



Photo-11 Interior 5 side Floor 1 rear exit to alley

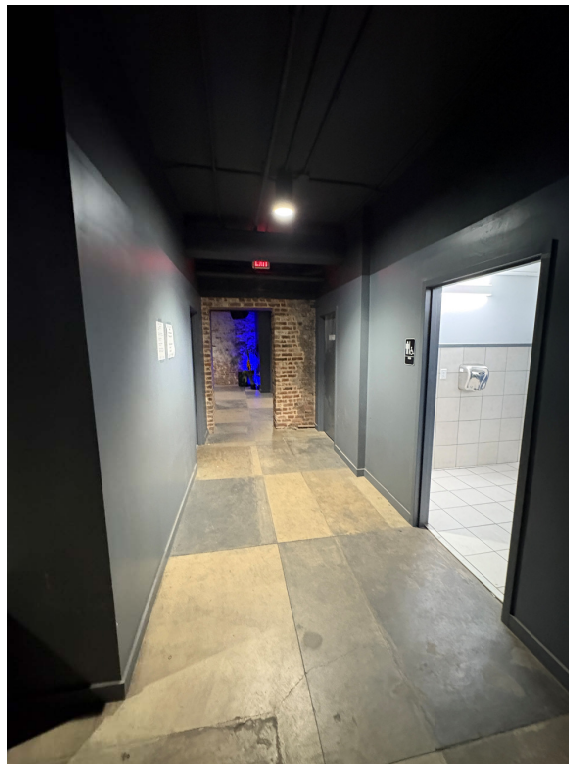


Photo-12 Interior Basement 7 side looking to exit to front at Broad St.



Photo-13 Interior Basement 5 side looking to front exit stair at Broad St

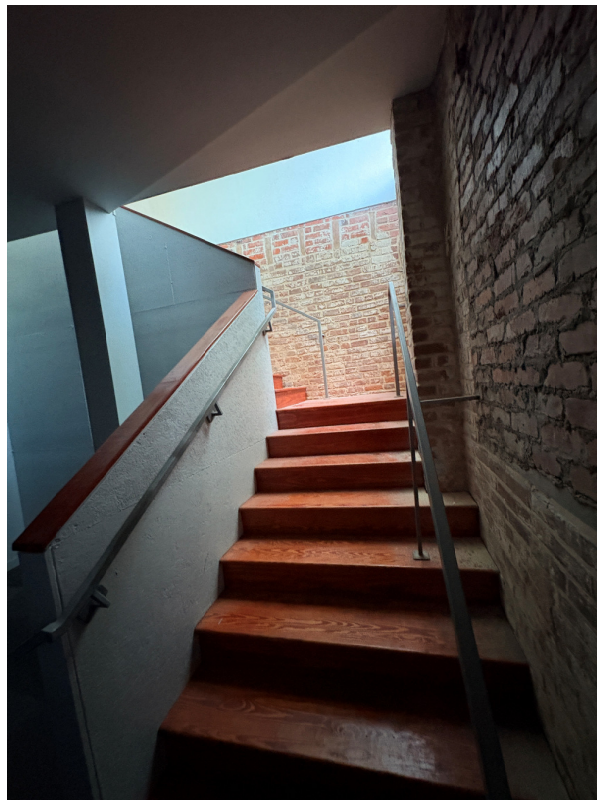


Photo-14 Interior Basement 5 side looking at exit stair to Broad St



Photo-15 from Interior Basement 5 side looking at exit stair to Broad St



Photo-16 from Interior Basement 5 side looking at exit stair to Broad St



Photo-17 Interior 5 side floor 1 exit to Broad St



Photo-18 Interior basement fire sprinkler controls

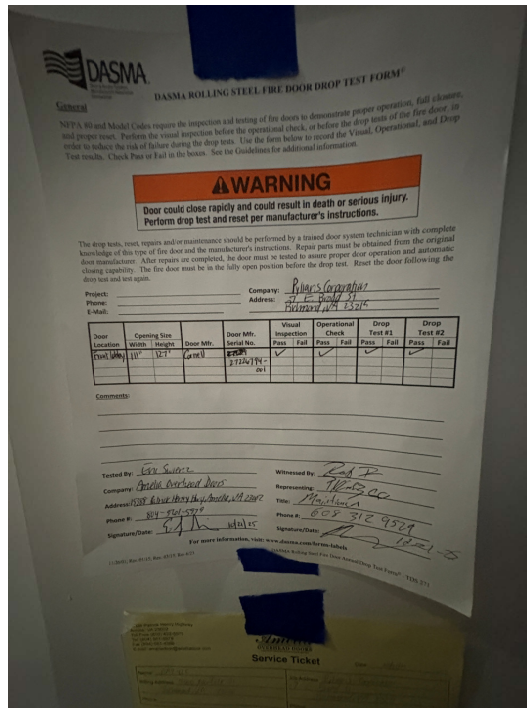


Photo-19 Interior 5 side floor 1 rolling fire door drop test.



Photo-20 Interior 5 side floor 1 RPZ backflow preventer.



Photo-21 Interior 7 side floor 1 looking to rear.



Photo-22 Interior 7 side floor 1 looking to front at Broad St.

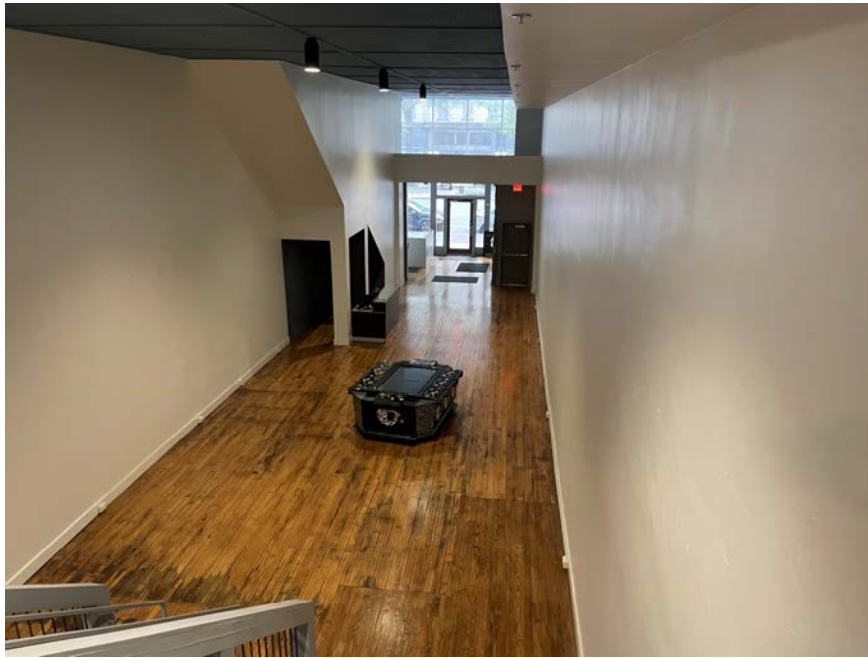


Photo-23 Interior 5 side floor 1-mezzanine looking to front at Broad St.

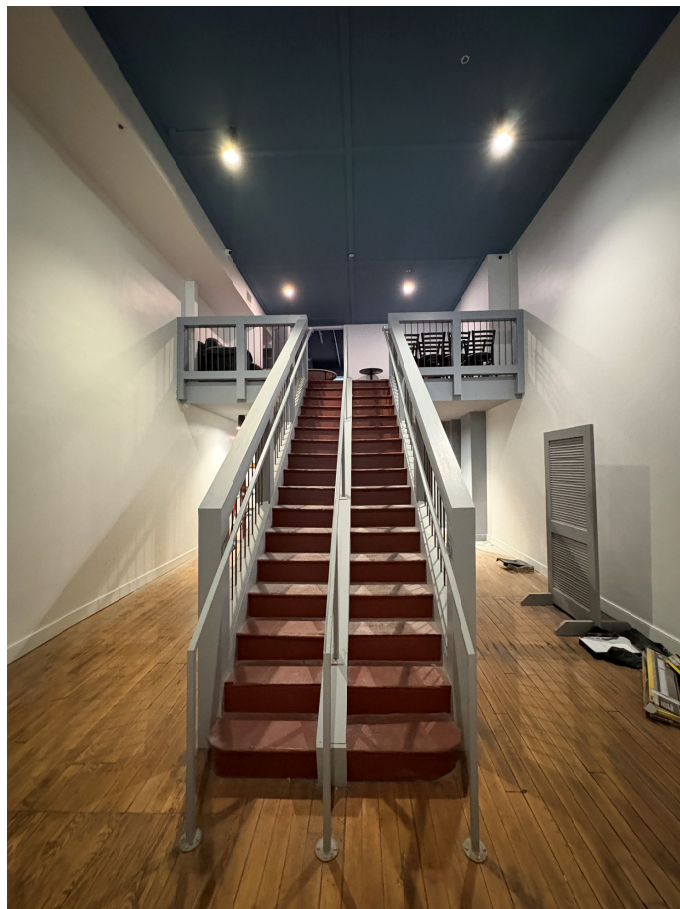


Photo-24 Interior 5 side floor 1-mezzanine looking at mezzanine stair.

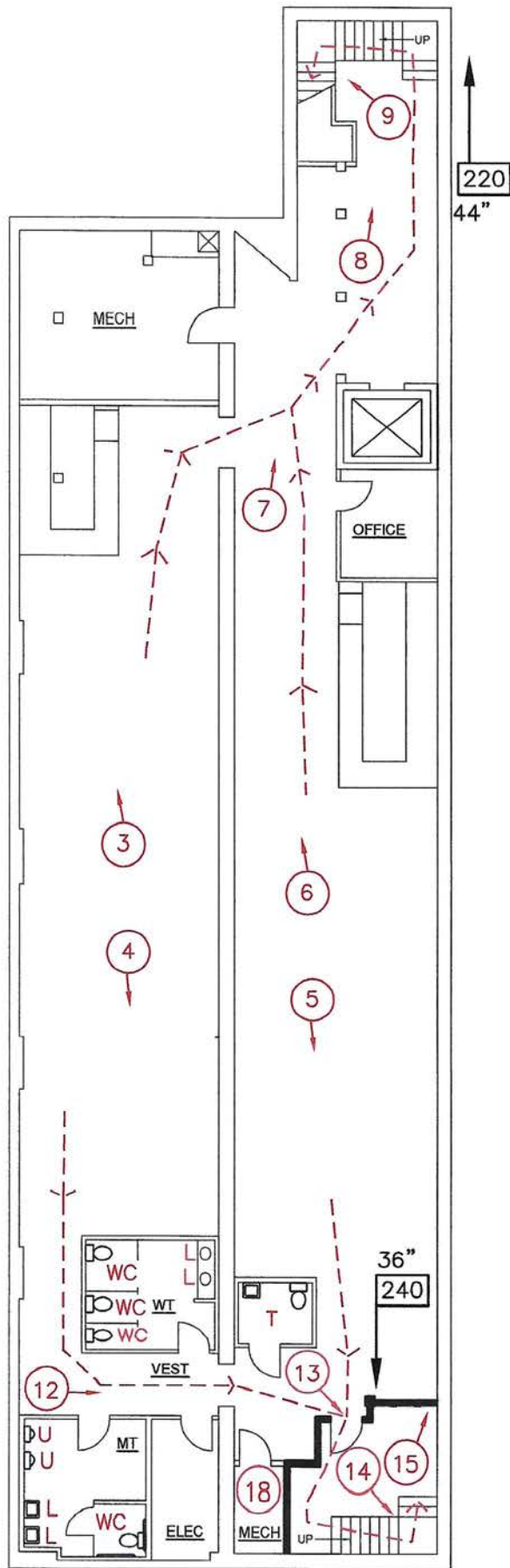


Photo-25 Interior 7 side floor 1 exit to rear.

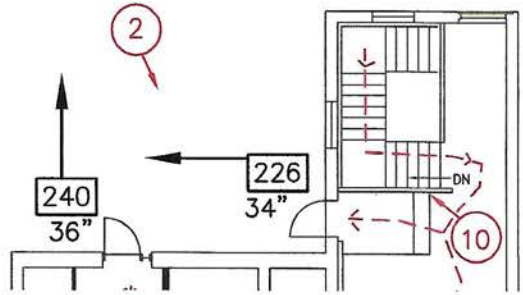


Photo-25 Interior 7 side floor 1 exit to rear.





**Basement Plan**  
 0 5' 10' 20' 30'  
 SCALE:



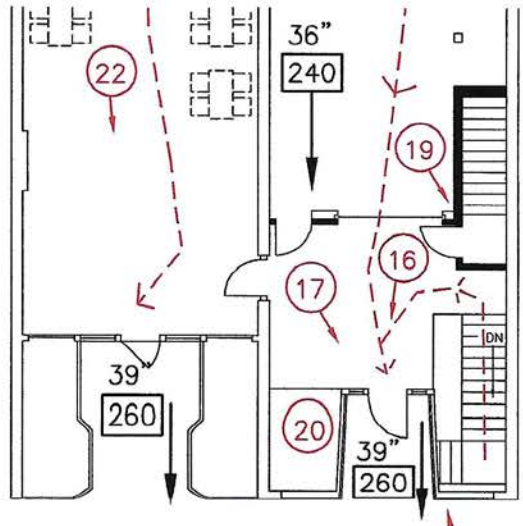
### Occupant Load

<b>Basement all A2 use group</b>	
No. 5 Side	1,974 sf
No. 7 Side	1,519 sf
<b>Total</b>	<b>3,493 sf</b>
A2 use/15 sf per occ =	232 occupants
<b>First Floor all A2 use group</b>	
No. 5 Side	1,392 sf
No. 5 Mezzanine	604 sf
No. 7 Side	1,654 sf
<b>Total</b>	<b>3,671 sf</b>
A2 use/15 sf per occ =	241 occupants
No. 5 Alley Entry	244 sf
A2 use/5 sf per occ =	48 occupants
<b>Total Occupants this floor =</b>	<b>289 occupants</b>

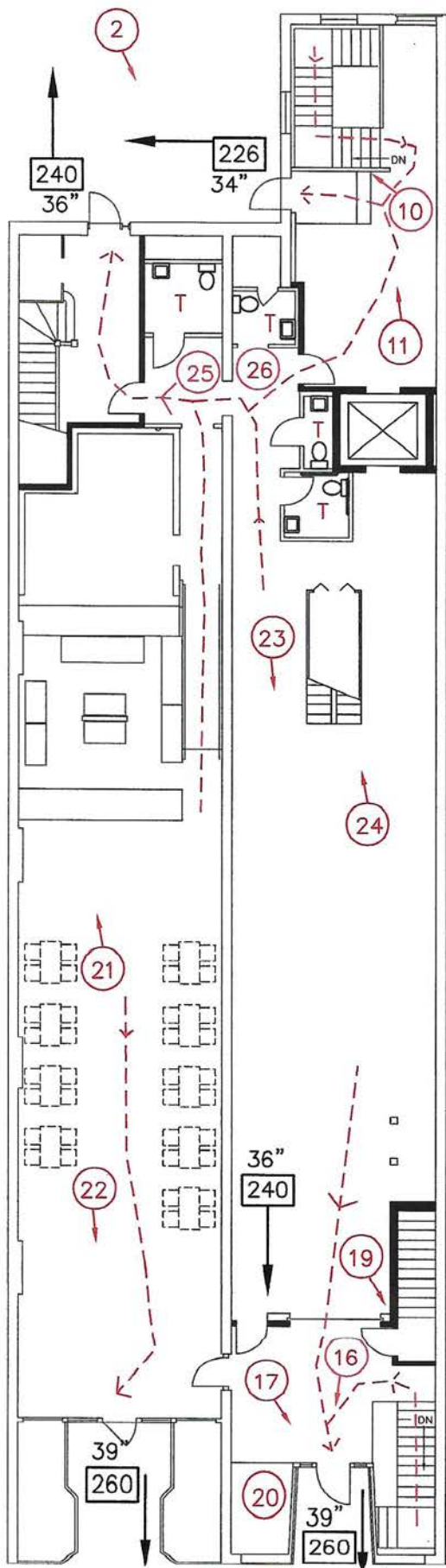
**Note: Total Maximum Occupant Load at Basement & 1st Floor = 480 (based on plumbing fixture count)**

### Legend

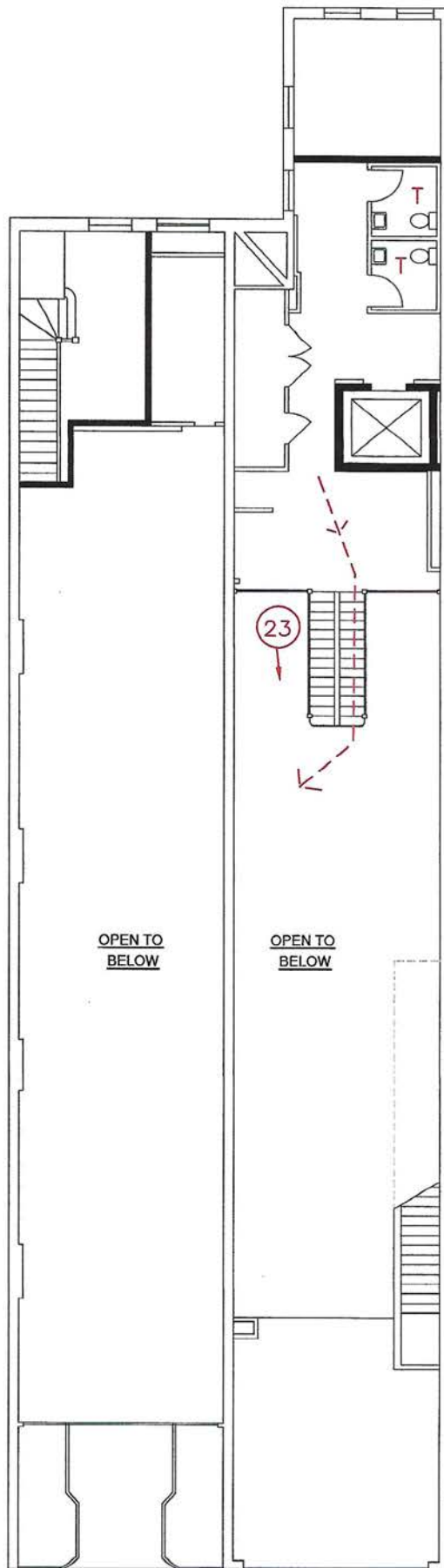
- Photo #
- Path of Egress
- Exit Dimension/Capacity
- WC** Toilet Water Closet
- U** Urinal
- L** Lavatory
- T** Solo Toilet with Water Closet and Lavatory



**1st Floor Plan**  
 0 5' 10' 20' 30'  
 SCALE:



1st Floor Plan  
 0 5' 10' 20' 30'  
 SCALE:



Mezzanine Plan  
 0 5' 10' 20' 30'  
 SCALE:

# Summary Sheet - Building Code

Applicable Code: Virginia Existing Building Code 2015  
Chapter 14 Performance Compliance Methods

Existing Occupancy: A2 no co & vacant  
Proposed Occupancy: A2 basement/first floor phase 1 previous approved permit  
B second & third floor phase 2 previous approved permit

Year Built: 1893  
Number Stories: 3 story  
Building Height: Less than 58 feet  
Construction Type: IIIB  
Area per floor: 5,837 square feet  
Percent Open: 27 %  
Completely suppressed: YES  
Corridor wall rating: No corridors  
Compartments: Yes. 4 compartments. See Schedule.  
Door closers: Yes  
Vertical Opening: Vertical enclosures 2 hour rated  
HVAC system: Multiple heat pump/AHUs contained in each floor/compartment with 1 AHU serving 1 floor only  
All floors have HVAC  
Yes in new HVAC system

Auto Fire Detection: Yes in new HVAC system  
Fire Alarm System: None  
Smoke Control: None  
Adequate Exit Routes: Yes  
Dead Ends: None  
Max. travel distance: 150 lin ft  
Elevator Controls: YES, IFC recall  
Means of Egress Light: Yes. Section 2702 IBC  
Mixed Occupancies: YES. A2 basement & first floor (phase 1 previous approved permit) and B use second & third floor (phase 2 previous approved permit)

# Parameter Evaluation

## Phase 1-A2 Use and Phase 2-B Use

Allowable Height Table 504.3 = 75 feet high

Allowable Stories Table 504.4 = 3 stories

Allowable Area Table 506.2 for A2 use = 28,500 sf and B use = 57,000 square feet

1401.6.1 Building Height.  $AH-EBH/12.5 \times CF = 75-58/12.5 \times (1) = 1.36$

Building Story  $AS-EBS \times CF = 4-3 \times 1 = 1$

Use smaller value,  $V=1$

1401.6.2 Building Area (A2-Use most restrictive)  $28,500 \text{ sf}/1200 \text{ sf} = 32.75$

Use 50% of fire safety score, Value = 15

1401.6.3 Compartments. See Schedule = Value = 29

1401.6.4 Tenant and Dwelling Separations. A2 has 2 hr fire separation cat e = 3

B has no fire separation cat a = -4

1401.6.5 Corridor Walls. None required use Cat C = Value = 0

1401.6.6 Vertical Openings. no VO at A2 use.  $VO = PV \times CF$ ,  $VO = -2 \times 3.5 = -7$ , Value = -7

1401.6.7 HVAC Systems. Multiple System with 1 HVAC unit serving 1 story only use Cat E = Value = 5

1401.6.8 Automatic Fire Detection. Smoke detectors in HVAC Systems use Cat C = Value = 0

1401.6.9 Fire Alarm Systems. None use Cat A = Value = -10

1401.6.10 Smoke Control. None use Cat A = Value = 0

1401.6.11 Means of Egress Capacity & Number. Complies with 1004 IBC use Cat B = Value = 0

1401.6.12 Dead Ends. None use Cat C = Value = 2

1401.6.13 Maximum Travel Distance. 300 feet allowed, 75 feet actual. Value =  $20 \times 300-75/300 = 15$

1401.6.14 Elevator Control. Cat C = Value = 0

1401.6.15 Means of Egress Lighting. New system Section 2702 IBC use Cat B = Value = 0

1401.6.16 Mixed Occupancies. A2 and B Occupancies separated Section 508.4 use Cat B = Value = 0

1401.6.17 Automatic Sprinklers. YES Throughout Cat E = Value = 6

1401.6.18 Standpipes. YES use Cat C = Value = 6

1401.6.19 Incidental Uses. None use Value = 0

# Scores

SAFETY PARAMETERS	FIRE SAFETY	MEANS OF EGRESS	GENERAL SAFETY
1401.6.1 Building Height	1	1	1
1401.6.2 Building Area	15	15	15
1401.6.3 Compartments	29	29	29
1401.6.4 Tenant and Dwelling Separations	-4	-4	-4
1401.6.5 Corridor Walls	0	0	0
1401.6.6 Vertical Openings	-7	-7	-7
1401.6.7 HVAC Systems	5	5	5
1401.6.8 Automatic Fire Detection	0	0	0
1401.6.9 Fire Alarm Systems	-10	-10	-10
1401.6.10 Smoke Control	****	0	0
1401.6.11 Means of Egress Capacity & Number	****	0	0
1401.6.12 Dead Ends	****	2	2
1401.6.13 Maximum Travel Distance	****	15	15
1401.6.14 Elevator Control	0	0	0
1401.6.15 Means of Egress Lighting	****	0	0
1401.6.16 Mixed Occupancies	0	****	0
1401.6.17 Automatic Sprinklers	2	2	2
1401.6.18 Standpipes	2	2	2
1401.6.19 Incidental Uses	0	0	0
BUILDING SCORE	33	50	50
MANDATORY SCORE	30	40	40
	PASS	PASS	PASS
EVALUATION SCORE	3	10	10

# NEC 240.24

## Service and Feeder Overcurrent Devices

### **(B) Occupancy**

Each occupant shall have ready access to all overcurrent devices protecting the conductors supplying that occupancy, unless otherwise permitted in 240.24(B)(1) and (B)(2).

### **(1) Service and Feeder Overcurrent Devices**

Where electric service and electrical maintenance are provided by the building management and where these are under continuous building management supervision, the service overcurrent devices and feeder overcurrent devices supplying more than one occupancy shall be permitted to be accessible only to authorized management personnel in the following:

- (1) Multiple-occupancy buildings
- (2) Guest rooms or guest suites

Code of Virginia  
Title 36. Housing  
Chapter 6. Uniform Statewide Building Code

### § 36-119.1. Existing buildings.

This chapter shall not supersede provisions of the Fire Prevention Code promulgated by the Board under § 27-97, which prescribe standards to be complied with in existing buildings or structures, provided that such regulations shall not impose requirements that are more restrictive than those of the Uniform Statewide Building Code under which the buildings or structures were constructed. Subsequent alteration, enlargement, rehabilitation, repair, or conversion of the occupancy classification of such buildings or structures shall be subject to the construction and rehabilitation provisions of the Building Code.

1986, c. 429; 1988, c. 199; 2002, c. [555](#); 2003, c. [650](#).

Code of Virginia  
 Title 36. Housing  
 Chapter 6. Uniform Statewide Building Code

### § 36-99.01. Provisions related to rehabilitation of existing buildings.

A. The General Assembly hereby declares that (i) there is a need to improve the housing conditions of low and moderate income individuals and families, many of whom live in substandard housing, particularly in the older cities of the Commonwealth; (ii) there are large numbers of older residential buildings in the Commonwealth, both occupied and vacant, which require need of rehabilitation and which must be rehabilitated if the State's citizens are to be housed decently, soundly and safely; and (iii) the application of those building code requirements currently in force on housing rehabilitation has sometimes led to the imposition of costly and uneconomical requirements which result in significant reduction in the amount of rehabilitation activity which takes place.

B. The General Assembly further declares that (i) there is a need to improve the existing conditions of many of the Commonwealth's stock of commercial properties, particularly in older cities; (ii) there are large numbers of older commercial buildings in the Commonwealth, both occupied and vacant, which require need of rehabilitation and which must be rehabilitated if the citizens of the Commonwealth are to be provided with decent, sound and safe work spaces; and (iii) the application of the existing building code to such rehabilitation has sometimes led to the imposition of costly and uneconomical requirements which result in significant reduction in the amount of rehabilitation activity which takes place.

C. The Board is hereby directed and empowered to make such changes as are necessary to fulfill the intent of the General Assembly as expressed in subsections A and B, including, but not limited to, amendments to the Building Code and the duties of building officials, enforcement personnel, contractors, and design professionals throughout the Commonwealth.

2000, c. [35](#); 2002, c. [555](#).

(1) Building Codes — Uniform Statewide Building Code — Purpose. — The dominant purpose of the Uniform Statewide Building Code is to provide comprehensive protection of the public health and safety.

(2) Local Government — Ordinances — Conflict With State Law. — Code Sec. 1-13.17 precludes a local governing body from enacting ordinances inconsistent with the Constitution and laws of the United States or of the Commonwealth; a local ordinance, however, may prohibit an act upon which state law is silent, or proscribe conduct already proscribed by state law where the ordinance is not inconsistent with state law.

(3) Local Government — Ordinances — Conflict With State Law. — If both the state law and the local ordinance can stand together, courts are obligated to harmonize them, rather than nullifying the ordinance; nevertheless, an ordinance may not conflict with state law.

#### SUMMARY

Appellant was convicted of five Class 4 misdemeanors under a Town ordinance for violations of the provisions of the Uniform Statewide Building Code. The trial court held that the violations were continuing ones and imposed fines for each day of the violations. Appellant contended that the sanctions imposed under the Town ordinance were in conflict with the provisions of state law. Appellant also contended that the trial court erroneously construed the provisions of the Building Code and that the prosecution was barred by the statute of limitations (Circuit Court of Prince William County, H. Selwyn Smith, Judge).

The Court of Appeals affirmed in part, and reversed and remanded for sentencing. The Court held that the provisions of the Town ordinance, which make violations of the Building Code continuing ones, are in conflict with state law and must yield to it. The Court also held that the trial court correctly construed the provisions of state law relating to the nature of the violations and that the prosecution was not barred by the statute of limitations.

*Affirmed in part, reversed in part, and remanded.*

#### OPINION

DUFF, J.

Granny's Cottage, Inc., a construction company, was convicted of five Class 4 misdemeanors under Sec. 4-5 of the Code of the Town of Occoquan for

violations of Sec. 119.2 of the Uniform Statewide Building Code (U.S.B.C.). The convictions were based upon the Town of Occoquan's contention that from August 1, 1983, units 1, 2, 4, 5, and 6 of 116 Washington Street, Occoquan, Virginia were occupied without a final inspection or Certificate of Use and Occupancy. The trial court held that the violations of the U.S.B.C. were continuing and, pursuant to the Town ordinance, imposed a fine of \$20 per day for each violation until July 23, 1985, for a total fine of \$11,640.

Buildings hereafter altered: A building or structure hereafter enlarged, extended or altered to change from one use group to another or to a different use within the same use group, in whole or in part, and a building or structure hereafter altered for which a certificate of use and occupancy has not been heretofore issued, shall not be occupied or used until the certificate shall have been issued by the building official, certifying that the work has been completed in accordance with the provisions of the approved permit; except that any use or occupancy, which was not discontinued during the work of alteration, shall be discontinued within thirty (30) days after the completion of the alteration unless the required certificate is secured from the building official.

For the reasons hereinafter set forth, we find that the sanctions provided by the ordinance of the Town of Occoquan are in conflict with the sanctions provided in the U.S.B.C. and must yield to it. This issue, together with the other issues argued on appeal, will be addressed in the order presented.

The record shows that in 1981, a building permit was issued to Granny's Cottage, Inc. for work on a building at 116 Washington Street in Occoquan. Later, in 1981, the permit was amended to include extensive changes to the building, including the removal of exterior stairways, the addition of interior stairways, the installment of electric conduits and plumbing, and the placement of fire walls between new apartments. The permit was again amended in 1982. The building design was changed to a condominium and an allowance was requested for further renovation, including the conversion of eight apartment units into six condominiums, the addition of three brick fireplaces, and a two-story porch, and extension of the building by thirty-one feet.

### *I. VIOLATION OF SEC. 119.2 OF THE UNIFORM STATEWIDE BUILDING CODE*

On October 16, 1984, the Town of Occoquan issued five misdemeanor charges, asserting violations of the Uniform Statewide Building Code. There is a conflict between the parties as to the proper interpretation and application of Sec. 119.2 of the U.S.B.C. The crux of the dispute involves the definition of the word "building" as set forth in Code Sec. 36-97(12) and

whether or not the Washington Street structure was occupied during the period of alteration. Granny's Cottage, Inc. maintains that the building was continuously occupied during alteration, and thus that under the U.S.B.C., no occupancy permit was required. The Town contends that the issue is not whether a part of the building was occupied during the work but whether each of the individual dwelling units was occupied. The evidence in the record indicates that one or more of the individual units was occupied at all times, but all of the units were never occupied at the same time.

"Building" means a combination of any materials, whether portable or fixed, having a roof to form a structure for the use or occupancy by persons, or property; provided, however, that farm buildings not used for residential purposes and frequented generally by the owner, members of his family, and farm employees shall be exempt from the provision of the Uniform Statewide Building Code, but such buildings lying within flood plain or in a mudslide-prone area shall be subject to flood proofing regulations or mudslide regulations, as applicable. The word "building" shall be construed as though followed by the words "or part or parts thereof" unless the context clearly requires a different meaning.

The Town relies on the definitions of "building" and "structure" contained in Code Sections 36-97 (12) and (18), respectively, and, in particular, the language stating that these terms "are to be construed as though followed by the words `or part or parts thereof.'" Thus, the Town argues that under the Code, whenever a part of a building is enlarged, extended or altered, it shall not be occupied until a Certificate of Use and Occupancy has been issued. It is also the Town's position that the exception contained in Sec. 119.2, pertaining to occupancy during renovation, is not applicable because the units had been sold and there was no evidence that Granny's Cottage, Inc. was actively performing any work on the units. The Town further contends that as each condominium unit was completed, a certificate was required before occupancy. The record demonstrates, however, that no such certificates were obtained.

"Structure" means an assembly of materials forming a construction for occupancy or use including stadiums, gospel and circus tents, reviewing stands, platforms, staging, observation towers, radio towers, water tanks, trestles, piers, wharves, swimming pools, amusement devices, storage bins, and other structures of this general nature; provided, however, that farm structures not used for residential purposes shall be exempt from the provisions of the Uniform Statewide Building Code, but such structures lying within a flood plain or in a mudslide-prone area shall be subject to flood proofing regulations or mudslide regulations, as applicable. The word "structure" shall be construed as though

followed by the words "or part or parts thereof" unless the context clearly requires a different meaning.

Granny's Cottage, Inc. interprets the language of Code Sec. 119.2 to mean that a preexisting building was being altered; that each of the condominiums units created by the alteration was a "structure;" that the "building" was occupied during the renovation; and that under the statute, it had 30 days after completion to secure the Certificate of Use and Occupancy or to terminate the occupancy. Based upon the trial court's finding that there was work that had not been completed on the building by the date of trial, Granny's Cottage, Inc. argues that the 30-day period had not begun to run, and no occupancy permit was required.

(1) If the appellant's argument is carried to its logical conclusion, there would be no need for an occupancy permit as long as any part of the entire building (regardless of how many separate residential units were being constructed) was occupied during renovation and there was any work yet to be accomplished on any part of the building. Thus, all but one of the condominium units could have been completed, sold, and occupied without the necessity of use and occupancy permits. We do not believe that the General Assembly intended this result. The dominant purpose of the U.S.B.C. is to provide comprehensive protection of the public health and safety. *VEPCO v. Savoy Construction Co.*, 224 Va. 36, 44, 294 S.E.2d 811, 817 (1982). The Town's interpretation of the definition of a "building" as contained in Code Sec. 36-97(12) would further this purpose. Therefore, we hold that under the facts in this record, the court properly found that Granny's Cottage, Inc. was guilty of violations of U.S.B.C. Sec. 119.2.

## *II. ALLEGED CONFLICT BETWEEN STATUTE AND ORDINANCE*

Granny's Cottage, Inc. argues that the trial court erred in finding five separate offenses, one for each unit in the building. This argument is based on the contention that there was only one building, 116 Washington Street, with six parts (condominiums). For the reasons set forth above, we hold that the correct interpretation of the definition of a "building" makes the Code applicable to each condominium unit constructed within the building. Accordingly, we find no merit to this argument.

Granny's Cottage, Inc. also contends that the trial court erred by applying the Town ordinance, which makes a violation of the U.S.B.C. a continuing one, and enables the Town to impose sanction far in excess of the penalty permitted by the state statute. We agree.

Granny's Cottage, Inc. received a fine of \$11,640 for violations of the U.S.B.C. pursuant to Town ordinance Sec. 4-14, which provides:

Any person, firm or corporation violating a provision of this chapter shall be guilty of a misdemeanor and shall, upon conviction, be fined not less than twenty-five (\$25.00), nor more than one-hundred dollars (\$100.00). Each day during which erection, alteration, repair or demolition shall occur in violation of the provisions of this chapter shall constitute a separate offense.

This ordinance is inconsistent with the penalty provision set forth in Code Sec. 36-106, which provides:

It shall be unlawful for any owner or any other person, firm or corporation, on or after the effective date of any Code provisions, to violate any such provisions. Any such violation shall be deemed a misdemeanor and any owner or any other person, firm or corporation convicted of such a violation shall be punished by a fine of not more than \$1,000.

The state statute does not provide that each day of violation constitutes a separate offense. Moreover, the statute prescribes a maximum fine of \$1,000 for a violation.

(2-3) Code Sec. 1-13.17 precludes a local governing body from enacting ordinances "inconsistent with the Constitution and laws of the United States or of *this State*." (emphasis added). The Supreme Court has recognized, however, that an ordinance may prohibit an act upon which state law is silent, *Kisley v. City of Falls Church*, 212 Va. 693, 695, 187 S.E.2d 168, 170 (1972), or proscribe conduct already proscribed by state law where the ordinance is not inconsistent with state law. *Wayside Restaurant v. City of Virginia Beach*, 215 Va. 231, 233, 208 S.E.2d 51, 53 (1974). Likewise, if both the statute and the ordinance can stand together, courts are obligated to harmonize them, rather than nullifying the ordinance. *King v. County of Arlington*, 195 Va. 1084, 1091, 81 S.E.2d 587, 591 (1954). Nevertheless, an ordinance may not conflict with state law. *Loudoun County v. Pumphrey*, 221 Va. 205, 207, 269 S.E.2d 361, 362 (1980); *Hanbury v. Commonwealth*, 203 Va. 182, 185, 122 S.E.2d 911, 913 (1961); *Allen v. City of Norfolk*, 196 Va. 177, 180, 83 S.E.2d 397, 399 (1954).

The penalty provision of Town ordinance Sec. 4-14 is inconsistent with existing state law, and as mandated by Code Sec. 1-13.17, cannot stand. This position is also supported by Code Sec. 36-98, which expressly provides that the U.S.B.C. "shall supersede the building codes and regulations of the counties, municipalities and other political subdivisions and state agencies." (emphasis added).

We perceive from these statutes a legislative intent to insure a statewide uniform building code that would apply and be enforced in the same manner

and with equal results in all of the State's political subdivisions. The penalty provision set forth in Code Sec. 36-106 is an integral part of the U.S.B.C. Thus, we believe that the legislature intended to preclude inconsistent penalty provisions in local ordinances. Also relevant to our inquiry is Sec. 4-5 contained in chapter 4 of the Town ordinance entitled "Buildings, Generally." That section provides that "the Virginia Uniform Statewide Building Code . . . is hereby adopted and incorporated as a part hereof as fully as if set out at length herein." By incorporating the U.S.B.C., chapter 4 provides two internally inconsistent penalty provisions, one contained in Sec. 4-5, (the U.S.B.C. provision providing for a fine of not more than \$1,000), and the other set forth in Sec. 4-14 (providing for a fine of not less than \$25, nor more than \$100, and continuing daily). These inconsistent penalty provisions cannot be harmonized.

Accordingly, we hold that the sanctions imposed pursuant to Sec. 4-14 of the Town ordinance are invalid.

### *III. STATUTE OF LIMITATIONS*

Finally, Granny's Cottage asserts that all of the warrants should have been dismissed because the prosecution was not commenced within one year of the alleged offense as provided in Code Sec. 19.2-8. That statute provides in pertinent part:

Prosecution of Building Code violations under Code Sec. 36-105 shall commence within one year of either commission of the offense or discovery of the offense by the owner or by the building official.

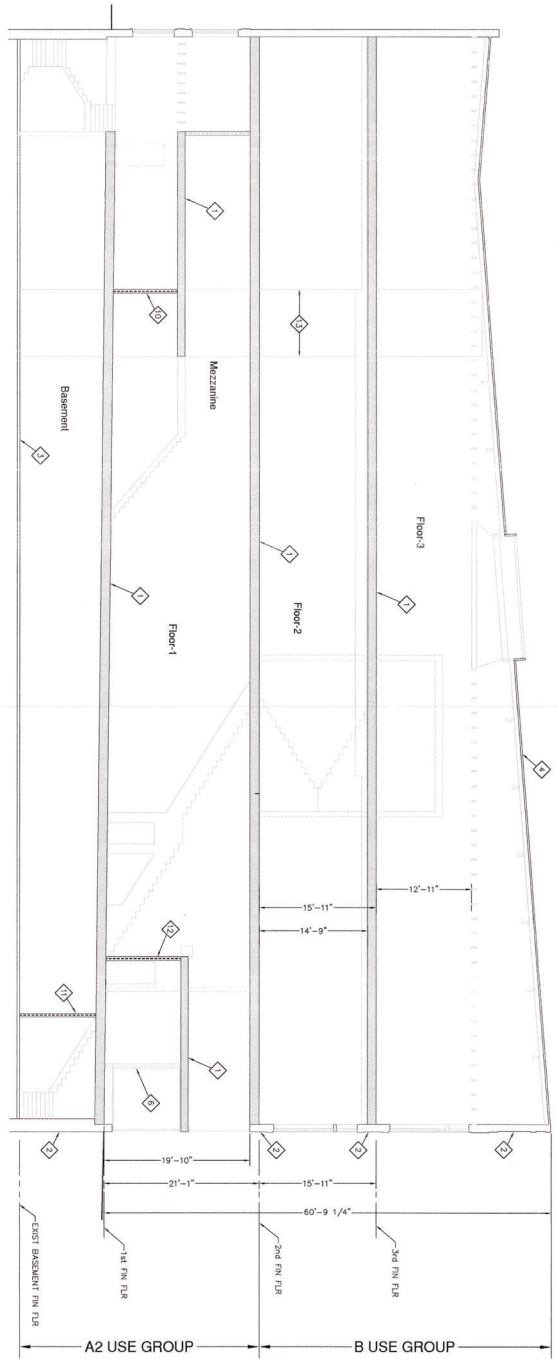
The trial court held that the statute of limitations had not run because each day of violation constituted a separate offense. For the reasons set forth above, we hold that violations of Sec. 119.2 of the U.S.B.C. are not continuing ones. Nevertheless, we further hold that prosecution commenced within the applicable limitation period. The record shows that Rufus Sidney Bradbury, the building inspector, did not "discover" the violations until January of 1984 when he concluded his investigation and then notified Granny's Cottage of the offenses. Prosecution began on October 16, 1984, within one year of discovery of the statutory violations. Accordingly, we find that the action was not barred by the statute of limitations.

For the foregoing reasons, the final judgment is reversed to the extent of the sanctions imposed by the court. The case is remanded for sentencing in accordance with the provisions of the U.S.B.C.

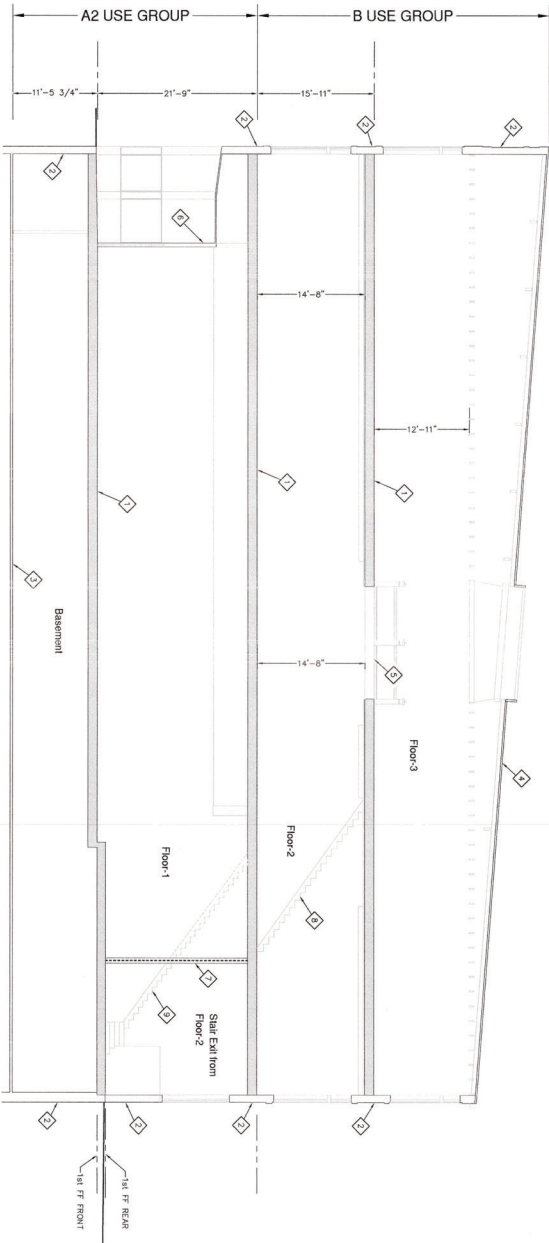
*Affirmed in part, reversed in part, and remanded.*

Keenan, J., and Moon, J., concurred





2 SECTION THRU 5 EAST BROAD LOOKING WEST-FIRE RATED SEPARATIONS  
A2 SCALE: 1/8" = 1'-0"

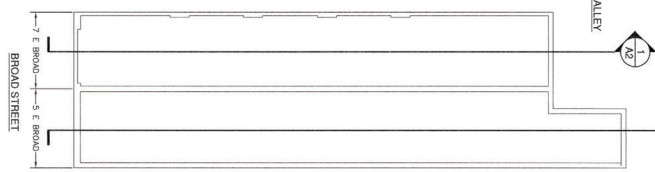


1 SECTION THRU 7 EAST BROAD LOOKING EAST-FIRE RATED SEPARATIONS  
A2 SCALE: 1/8" = 1'-0"

Section Notes

1. THIS EXISTING FLOOR CEILING ASSEMBLY CONSTRUCTION IS TWO (2) HOUR RATED. SEE APPROVED BUILDING PERMIT BROAD STREET 2019 FOR ALTERATIONS AT 5 & 7 EAST BROAD STREET.
2. EXISTING EXTERIOR MASONRY (BRICK) WALL.
3. EXISTING CONCRETE SLAB IN THE BASEMENT.
4. EXISTING EXTERIOR FINISHING WOOD ROOF FRAMING. SEE APPROVED BUILDING PERMIT BROAD STREET 2019 FOR ALTERATIONS AT 5 & 7 EAST BROAD STREET. FINISHING WOOD ROOF FRAMING OPENING.
5. EXISTING LIGHT WELL OPENING BETWEEN FLOORS 2 & 3.
6. EXISTING STOVEPIECE AT SIDEWALK/STREET LEVEL.
7. THIS EXISTING WALL IS TWO (2) HOUR RATED TO SEPARATE FLOOR 2 FROM FLOOR 1. SEE APPROVED BUILDING PERMIT BROAD STREET 2019 FOR ALTERATIONS AT 5 & 7 EAST BROAD STREET.
8. EXISTING OPEN STAIR BETWEEN FLOORS 2 & 3.
9. EXISTING STAIR FROM FLOOR 1 TO EXIT AT ALLEY.
10. THIS EXISTING WALL IS TWO (2) HOUR RATED TO SEPARATE BASEMENT STAIR EXIT FROM FLOOR 1. SEE APPROVED BUILDING PERMIT BROAD STREET 2019 FOR ALTERATIONS AT 5 & 7 EAST BROAD STREET.
11. THIS EXISTING WALL IS TWO (2) HOUR RATED TO SEPARATE BASEMENT STAIR EXIT FROM FLOOR 1. SEE APPROVED BUILDING PERMIT BROAD STREET 2019 FOR ALTERATIONS AT 5 & 7 EAST BROAD STREET.
12. THIS EXISTING WALL (INCLUDING RATED SILL DOWN DOOR WITH FLOOR FINISH) IS TWO (2) HOUR RATED TO SEPARATE FLOOR 1 EXIT FROM BASEMENT STAIR EXIT. SEE APPROVED BUILDING PERMIT BROAD STREET 2019 FOR ALTERATIONS AT 5 & 7 EAST BROAD STREET.
13. LOCATION OF ELEVATOR SHAFT TWO (2) HOUR RATED BASEMENT TO FLOOR 3.

Building Footprint  
SCALE: 1/16" = 1'-0"



[A] 101.4.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Fire Code*, or the *International Property Maintenance Code*, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public.

❖ This section allows for buildings that were legally occupied in part or in whole at the time the code was adopted to continue. There is a maintenance concern that is addressed by the requirement that the building comply with either the IFC or the *International Property Maintenance Code*® (IPMC®). These codes ensure that life safety systems, such as means of egress pathways and fire protection systems, are kept in place and able to protect the life and safety of the inhabitants of these existing structures.

[A] 101.5 Safeguards during construction. Construction work covered in this code, including any related demolition, shall comply with the requirements of Chapter 15.

❖ The fundamental rationale behind this section is to establish reasonable safety precautions, in accordance with Chapter 15, during all phases of construction and demolition. Chapter 15 also covers the protection of adjacent public and private properties.

[A] 101.6 Appendices. The code official is authorized to require rehabilitation and retrofit of buildings, structures or individual structural members in accordance with the appendices of this code if such appendices have been individually adopted.

❖ This section describes a unique aspect of the code whereby any appendix referenced in the code becomes a part of the code without the jurisdiction having to specifically adopt it. For example, in Chapter 7, voluntary alterations to lateral-force-resisting systems are allowed when conducted in accordance with Appendix A. Therefore, Appendix A, having been specifically referenced, is enforceable without having to be specifically adopted by the local jurisdiction. Any appendices not specifically referenced in the code must be individually adopted to be legally enforced.

[A] 101.7 Correction of violations of other codes. Repairs or alterations mandated by any property, housing, or fire safety maintenance code or mandated by any licensing rule or ordinance adopted pursuant to law shall conform only to the requirements of that code, rule, or ordinance and shall not be required to conform to this code unless the code requiring such repair or alteration so provides.

❖ This section is intended to keep the requirements of other codes or ordinances intact and separate from the requirements of the code.

**SECTION 102  
APPLICABILITY**

[A] 102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where in any specific case different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

❖ In cases where the code establishes a specific requirement for a certain condition, that requirement is applicable even if it is less restrictive than a general requirement elsewhere in the code. Also, the most restrictive code requirement is to apply where there may be different requirements in the code for a specific installation.

[A] 102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state, or federal law.

❖ In some cases, other laws enacted by the jurisdiction, or the state or federal government may be applicable to a condition that is also governed by a requirement in the code. In such circumstances, the requirements of the code are in addition to that other law that is still in effect, although the code official may not be responsible for its enforcement.

[A] 102.3 Application of references. References to chapter or section numbers or to provisions not specifically identified by number shall be construed to refer to such chapter, section, or provision of this code.

❖ In a situation where the code may make reference to a chapter or section number or to another code provision without specifically identifying its location in the code, assume that the referenced section, chapter or provision is in the code and not in a referenced code or standard.

[A] 102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall govern.

❖ A referenced code, standard or portion thereof is an enforceable extension of the code as if the content of the standard were included in the body of the code. For example, Section 301.1.4 references ASCE 41 in its entirety for the seismic evaluation and design of an existing building. In those cases where the code references only portions of a standard, the use and application of the referenced standard is limited to those portions that are specifically identified. For



ent foundation, when  
nditioning, and

.63 *Manufactured home park* means a lot on which are located or which is arranged or equipped for the accommodation of two or more manufactured homes with spaces for such available for rent or lease for periods of not less than one month.

.64 *Marina* means any facility for the mooring, berthing, storing or securing of watercraft, including community piers and other boat docking and storage facilities. A marina may include boat sales, boat fuel sales, boat construction, boat repair, marina equipment sales or promotional events, boat and jet ski rentals and other uses clearly incidental to watercraft activities.

.65 *Mean grade level* means the average of the lowest and highest finished elevations of the ground adjacent to the exterior walls of a building.

.66 *Microwave relay facility* means a facility for the transmission and/or reception of radio frequency (RF) signals, typically consisting of an equipment enclosure or cabinet and one or more dish antennas (discs) which transmit point to point, mounted on an antenna support structure or alternative antenna support structure. Such a facility may be an accessory component of a wireless communications facility.

.67 *Microwave relay facility alternative support structure* means a building or structure designed, arranged and constructed for purposes permitted by the applicable underlying zoning, in or on which a microwave relay facility is installed. Structures which may qualify for consideration as an alternative support structure shall include, but not be limited to, water towers, smokestacks, ornamental towers, and mechanical enclosures which are otherwise permitted principal or accessory uses, provided that signs and billboards shall not be considered as alternative support structures.

.68 *Microwave relay facility support structure* means a structure designed and constructed specifically to support a microwave relay antenna, which may include a self-supporting monopole, a self-supporting tower (lattice), a guy wire supported tower, and other similar structures.

.69 *Nightclub* means any establishment in which all of the following features are made available at any time from 12:00 midnight until 6:00 a.m.:

- (1) Alcoholic beverages served or consumed on the premises;
- (2) Floor space provided for dancing or standing or both for patrons in conjunction with an entertainment activity, provided that floor space utilized for patrons to view television or similar media shall not be construed to constitute floor space provided for dancing or standing or both for patrons in conjunction with an entertainment activity; and
- (3) Music or other sound that is amplified through speakers for the purpose of entertaining patrons, except for the following:

.69 *Nightclub* means any establishment in which all of the following features are made available at any time from 12:00 midnight until 6:00 a.m.:

(1)

Alcoholic beverages served or consumed on the premises;

(2)

Floor space provided for dancing or standing or both for patrons in conjunction with an entertainment activity, provided that floor space utilized for patrons to view television or similar media shall not be construed to constitute floor space provided for dancing or standing or both for patrons in conjunction with an entertainment activity; and

(3)

Music or other sound that is amplified through speakers for the purpose of entertaining patrons, except for the following:

a.

Sound associated with television or similar media being viewed by patrons; and

b.

Music provided exclusively as background entertainment for dining patrons.

In any case where the above features are only incidental to a private event not open to the general public such as a wedding reception, banquet, nonprofit event or similar function, such features shall not be construed to constitute a nightclub.

**[BE] MULTILEVEL ASSEMBLY SEATING.** Seating that is arranged in distinct levels where each level is composed of either multiple rows, or a single row of box seats accessed from a separate level.

**[F] MULTIPLE-STATION ALARM DEVICE.** Two or more single-station alarm devices that can be interconnected such that actuation of one causes all integral or separate audible alarms to operate. A multiple-station alarm device can consist of one single-station alarm device having connections to other detectors or to a *manual fire alarm box*.

**[F] MULTIPLE-STATION SMOKE ALARM.** Two or more single-station alarm devices that are capable of interconnection such that actuation of one causes the appropriate alarm signal to operate in all interconnected alarms.

**[BE] MULTISTORY UNIT.** A *dwelling unit* or *sleeping unit* with *habitable space* located on more than one story.

**[BF] NAILABLE SUBSTRATE.** A product or material such as framing, sheathing or furring, composed of wood, wood-based materials or other materials providing equivalent fastener withdrawal resistance.

**[BS] NAILING, BOUNDARY.** A special nailing pattern required by design at the boundaries of *diaphragms*.

**[BS] NAILING, EDGE.** A special nailing pattern required by design at the edges of each panel within the assembly of a *diaphragm* or *shear wall*.

**[BS] NAILING, FIELD.** Nailing required between the sheathing panels and framing members at locations other than *boundary nailing* and *edge nailing*.

**[BS] NATURALLY DURABLE WOOD.** The heartwood of the following species except for the occasional piece with *clear sapwood*, provided 90 percent or more of the width of each side on which it occurs is heartwood.

**Decay resistant.** Redwood, cedar, black locust and black walnut.

**Termite resistant.** Redwood, Alaska yellow cedar, Eastern red cedar and Western red cedar.

**NIGHT CLUB.** Any *building* in which the main use is a place of public assembly that provides exhibition, performance or other forms of entertainment; serves alcoholic beverages; and provides music and space for dancing.

**NOMINAL LOADS.** The magnitudes of the loads specified in Chapter 16 (dead, live, soil, wind, tornado, snow, rain, flood, and earthquake).

**[BS] NOMINAL SIZE (LUMBER).** The commercial size designation of width and depth, in standard sawn lumber and glued-laminated lumber *grades*; somewhat larger than the standard net size of dressed lumber, in accordance with DOCPS 20 for sawn lumber and with the ANSI/AWC NDS for glued-laminated lumber.

**[BG] NONCOMBUSTIBLE MEMBRANE STRUCTURE.** A membrane structure in which the membrane and all component parts of the structure are noncombustible.

**[BF] NONCOMBUSTIBLE PROTECTION (FOR MASS TIMBER).** Noncombustible material, in accordance with Section 703.6, designed to increase the *fire-resistance rating* and delay the combustion of *mass timber*.

**[BS] NONSTRUCTURAL CONCRETE.** Any element made of plain or reinforced concrete that is not part of a structural system required to transfer either gravity or lateral loads to the ground.

**[F] NORMAL TEMPERATURE AND PRESSURE (NTP).** A temperature of 70°F (21°C) and a pressure of 1 atmosphere [14.7 psia (101 kPa)].

**[BE] NOSING.** The leading edge of treads of *stairs* and of landings at the top of *stairway flights*.

**NOTIFICATION ZONE.** See "*Zone, notification*."

**[F] NUISANCE ALARM.** An alarm caused by mechanical failure, malfunction, improper installation or lack of proper maintenance, or an alarm activated by a cause that cannot be determined.

**[BG] NURSING HOMES.** Facilities that provide care, including both intermediate care facilities and skilled nursing facilities where any of the persons are *incapable of self-preservation*.

**[BE] OCCUPANT LOAD.** The number of persons for which the *means of egress* of a building or portion thereof is designed.

**[BG] OCCUPIABLE SPACE.** A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes or in which occupants are engaged at labor, and which is equipped with *means of egress* and light and *ventilation* facilities meeting the requirements of this code.

**[BG] OPEN PARKING GARAGE.** A structure or portion of a structure with the openings as described in Section 406.5.2 on two or more sides that is used for the parking or storage of private motor vehicles as described in Section 406.5.3.

**[F] OPEN SYSTEM.** The use of a *solid* or *liquid hazardous material* involving a vessel or system that is continuously open to the atmosphere during normal operations and where vapors are liberated, or the product is exposed to the atmosphere during normal operations. Examples of open systems for *solids* and *liquids* include dispensing from or into open beakers or containers, dip tank and plating tank operations.

**[BE] OPEN-AIR ASSEMBLY SEATING.** Seating served by *means of egress* that is not subject to smoke accumulation within or under a structure and is open to the atmosphere.

**[BE] OPEN-ENDED CORRIDOR.** An interior *corridor* that is open on each end and connects to an exterior *stairway* or *ramp* at each end with no intervening doors or separation from the *corridor*.

**[BF] OPENING PROTECTIVE.** A *fire door* assembly, *fire shutter assembly*, *fire window assembly* or glass-block assembly in a fire-resistance-rated wall or partition.

**[BS] NATURALLY DURABLE WOOD.** The heartwood of the following species except for the occasional piece with corner sapwood, provided 90 percent or more of the width of each side on which it occurs is heartwood.

**Decay resistant.** Redwood, cedar, black locust and black walnut.

**Termite resistant.** Redwood, Alaska yellow cedar, Eastern red cedar and Western red cedar.

**NIGHT CLUB.** Any *building* in which the main use is a place of public assembly that provides exhibition, performance or other forms of entertainment; serves alcoholic beverages; and provides music and space for dancing.

**[BS] NOMINAL LOADS.** The magnitudes of the *loads* specified in Chapter 16 (dead, live, soil, wind, snow, rain, flood and earthquake).

**[BS] NOMINAL SIZE (LUMBER).** The commercial size designation of width and depth, in standard sawn lumber and glued-laminated lumber *grades*; somewhat larger than the standard net size of dressed lumber, in accordance with DOCPS 20 for sawn lumber and with the ANSI/AWC NDS for glued-laminated lumber.

**NONCOMBUSTIBLE MEMBRANE STRUCTURE.** A membrane *structure* in which the membrane and all component parts of the *structure* are noncombustible.

**[BS] NONSTRUCTURAL CONCRETE.** Any element made of plain or reinforced concrete that is not part of a structural system required to transfer either gravity or lateral loads to the ground.

**[F] NORMAL TEMPERATURE AND PRESSURE (NTP).** A temperature of 70°F (21°C) and a pressure of 1 atmosphere [14.7 psia (101 kPa)].

**NOSING.** The leading edge of treads of *stairs* and of landings at the top of *stairway flights*.

**NOTIFICATION ZONE.** See "Zone, notification."

**[F] NUISANCE ALARM.** An alarm caused by mechanical failure, malfunction, improper installation or lack of proper maintenance, or an alarm activated by a cause that cannot be determined.

**NURSING HOMES.** Facilities that provide care, including both intermediate care facilities and skilled nursing facilities where any of the persons are *incapable of self-preservation*.

**OCCUPANT LOAD.** The number of persons for which the *means of egress* of a *building* or portion thereof is designed.

**OCCUPIABLE SPACE.** A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes or in which occupants are engaged at labor, and which is equipped with *means of egress* and light and *ventilation* facilities meeting the requirements of this code.

**OPEN-ENDED CORRIDOR.** An interior corridor that is open on each end and connects to an exterior *stairway* or *ramp* at each end with no intervening doors or separation from the corridor.

**OPEN PARKING GARAGE.** A *structure* or portion of a *structure* with the openings as described in Section 406.5.2 on two or more sides that is used for the parking or storage of private motor vehicles as described in Section 406.5.3.

**[F] OPEN SYSTEM.** The *use* of a *solid* or *liquid hazardous material* involving a vessel or system that is continuously open to the atmosphere during normal operations and where vapors are liberated, or the product is exposed to the atmosphere during normal operations. Examples of open systems for *solids* and *liquids* include dispensing from or into open beakers or containers, dip tank and plating tank operations.

**[F] OPERATING BUILDING.** A *building* occupied in conjunction with the manufacture, transportation or *use* of explosive materials. Operating *buildings* are separated from one another with the use of intraplant or intraline distances.

**[BS] ORDINARY PRECAST STRUCTURAL WALL.** See Section 1905.1.1.

**[BS] ORDINARY REINFORCED CONCRETE STRUCTURAL WALL.** See Section 1905.1.1.

**[BS] ORDINARY STRUCTURAL PLAIN CONCRETE WALL.** See Section 1905.1.1.

**[F] ORGANIC PEROXIDE.** An organic compound that contains the bivalent -O-O- *structure* and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms have been replaced by an organic radical. Organic peroxides can pose an *explosion* hazard (*detonation* or *deflagration*) or they can be shock sensitive. They can also decompose into various unstable compounds over an extended period of time.

**Class I.** Those formulations that are capable of *deflagration* but not *detonation*.

**Class II.** Those formulations that burn very rapidly and that pose a moderate reactivity hazard.

**Class III.** Those formulations that burn rapidly and that pose a moderate reactivity hazard.

**Class IV.** Those formulations that burn in the same manner as ordinary combustibles and that pose a minimal reactivity hazard.

**Class V.** Those formulations that burn with less intensity than ordinary combustibles or do not sustain combustion and that pose no reactivity hazard.

**Unclassified detonable.** Organic peroxides that are capable of *detonation*. These peroxides pose an extremely high *explosion* hazard through rapid explosive decomposition.

**[BS] ORTHOGONAL.** To be in two horizontal directions, at 90 degrees (1.57 rad) to each other.

**[BS] OTHER STRUCTURES (for Chapters 16-23).** *Structures*, other than *buildings*, for which *loads* are specified in Chapter 16.

**OUTPATIENT CLINIC.** See "Clinic, outpatient."

**OWNER.** The *owner* or *owners* of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee or lessee in control of a *building* or *structure*.



***A Certificate of Occupancy is a document that establishes classification of a structure or portion of a structure with respect to its occupancy and use.***

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# 1. Final Building Permit Certificates of Occupancy (CO)

Per the Virginia Construction Code, establishing or changing the use of a structure or portion thereof requires a Building Permit. At the end of the inspection process on that permit, a Certificate of Occupancy is issued.

Most commonly a Final Building Permit CO is used for new buildings, tenant upfits, and change of use.

There is no separate fee to obtain this CO.

## ***Request Form***

Navigate to the form:

Go to <https://rva.gov/planning-development-review/forms>

Click on "Construction, Demolition and Occupancy"

Choose "Final Building Permit CO Request"

## **Information Required:**

- Online Permit Portal account email of the Requestor
- Permit address
- Permit number
- Projected occupancy date
- Requestor name
- Requestor phone number

## ***How to submit the Request for a Final Building Permit CO***

Complete the [Final Building Permit CO Request](#) and email it to [PDR.Permits@rva.gov](mailto:PDR.Permits@rva.gov).

## ***Items required to receive a Final Building Permit CO***

For a new building, you need:

- Passed final inspections on all associated Trade Permits
- On the Building Permit, passed final inspections from:
  - Building
  - Zoning
  - Land Disturbing
  - Works

**The request form gives specific instructions for each of those final types.**

In addition:

- You may need a passed final for Special Inspections
- You may need a passed final for Audit

For a tenant fitup, you need:

- Passed final inspections on all associated Trade Permits
- On the Building Permit, passed final inspections from:
  - Building
  - Zoning

**The request form gives specific instructions for each of those final types.**

In addition:

- You may need a passed final for Special Inspections
- You may need a passed final for Audit

## ***CO Issuance***

A Final Building CO request is considered an expedited request.

A Permit Technician will review the permits associated with the project.

If all required Final Inspections have been passed, the Permit Technician will issue the CO.

The CO will be posted as a publicly available document on the Permit in the Online Permit Portal. It will also be emailed to the Requestor.

## 2. Partial, Temporary, Owner/Tenant/dba Change COs (HCOs)

### Types of HCOs

There are types of CO requests/requirements that are handled by an “HCO” application process.

**These requests can only be made when the USE of the building or space is unchanged.**

Per the Virginia Construction Code, a CHANGE OF USE requires a Building Permit. At the end of the inspection process on that permit, a Certificate of Occupancy is issued. See Section 1 of this document.

HCOs are usually only applicable for Commercial projects. We have rare exceptions in the Residential world, but these are done on an exception basis and will not be addressed here.

**Here are the Types of HCOs:**

### ***Partial Certificate of Occupancy***

These are typically requested when a large building is under construction and part of the building can be occupied.

### ***Temporary Certificate of Occupancy***

Usually these are requested for an event or when a large project is complete, but a Final CO cannot be issued yet for non-construction reasons (audits, site work, etc.)

### ***Owner or Tenant Changes requiring a Certificate of Occupancy***

These may be requested when a Business has to present a CO.

Often for Business or Retail Use this can be done with a Certificate of Zoning Compliance (CZC). A CZC can be applied for in the Online Permit Portal.

However, for Assembly, Education, and Institutional Uses, the CO must be obtained via the HCO process, outlined here.

## The Process

### *Application*

You can apply for a Partial/Temporary/Change of Owner CO in our Online Permit Portal. In addition, the Portal is used for invoicing and paying. The Applicant will be able to view information about the Application and retrieve a copy of their issued CO.

You can access the Online Permit Port here:

[https://energov.richmondgov.com/energov\\_prod/selfservice#/home](https://energov.richmondgov.com/energov_prod/selfservice#/home)

There is a User Guide available under “Supporting Documentation.”

### **Information Required:**

- Address of the Business
- Property Owner per the Assessor’s Record
- Business Owner
  - This should be the legal name of the business – this will be needed for their Business License and potentially other legal documents.
  - For Partial and Temporary HCOs, this is often the GC or Owner
  - If the record for the Business Owner does not exist, use your own Contact information and add the Business Owner information in the Description.
- What kind of CO you are requesting
  - Partial or Temporary
    - What is the governing Building Permit number?
      - Include this in the description
    - Include where in the building/what parts of the building the CO covers.
    - Floor plans should be provided.
  - Owner or Tenant Change
    - Verify legal name of the Business so it prints correctly on the CO. You can state this information in the Description.

## ***Application Intake***

A Permit Technician will review it for completeness and contact you with any questions.

Once everything is in order, they will invoice you for the fees in the Online Permit Portal.

## ***Fees***

The application fee for an HCO is \$263. It requires a building and zoning inspection. The Building Inspector or Manager normally issues the CO for these.

## ***Inspections***

Once the fees are paid, the Permit Technician will route the application for review. At the time of this writing, you should contact the following people to schedule your inspections:

Building: [Rick.Paul@rva.gov](mailto:Rick.Paul@rva.gov)

Zoning: [PDRZoningAdministration@rva.gov](mailto:PDRZoningAdministration@rva.gov)

Here are some items the Building Inspector/Manager will be looking at:

1. EXIT lights – operational under test
2. Egress lights – operational under test
3. Fire extinguisher service dates (tags indicating less than 12 months since last service)
4. Fire suppression hood equipment service dates. (tags indicating less than 6 months since last service)
5. All Smoke/Carbon monoxide detectors operational
6. Make sure all means of egress are clear of all obstacles/debris – If it has an EXIT sign above the door it must be operational/clear.
7. Check to make sure any fire alarm panels indicate “SAFE” or “CLEAR.”
8. Bathroom signage installed and with Braille components, 5 feet to the top of the signs.
9. No extension cords used. Extension cords are for temporary use.
10. No gross building code violations.

## ***CO Issuance***

Once Zoning and Building have approved the application, the Building Inspector Supervisor or Manager will issue the CO.



3716 moss side ave **richmond** virginia 23222 rml303@aol.com 269-1174  
architecture pllc

May 18, 2026

Ms. Michelle Dickson, Buildings Plan Examiner  
City Hall, Room 110,  
900 East Broad Street  
Richmond, VA 23219

via email and uploaded to the permit portal

REF: FOIA Request

Dear Michelle,

I am requesting to view in your office all records/documents/digital documents/etc that:

1. show the number of tenant changes that were made/approved when there was no change in occupancy use/classification over the last 3 years.
2. show the number of tenant changes that were made/approved when there was no change in occupancy use/classification over the last 3 years and a building permit was required for the tenant change.
3. show the number of tenants that reduced their area used/occupant load without change of occupancy that were made/approved over the last 3 years.
4. show the number of tenants that reduced their area used/occupant load without change of occupancy that were made/approved over the last 3 years and a building permit was required to get the reduced occupancy.

Please let me know the day/time/place to inspect the requested documents.

With kindest regards,

Bill Laffoon RA

Additional Documents  
Submitted  
By City of Richmond

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VIRGINIA:

CO requests were made for the two new first floor tenants only. A meeting was held on 11/7/25 at Richmond City Hall to clarify the scope of the applications. At this meeting, it was made clear an existing nightclub was being split into three night clubs, not two. The existing nightclub would continue to operate in the basement of both 5 and 7 E Broad Street. At this meeting, the City indicated a third application was needed to reduce the occupant load on the previously issued CO.

BEFORE THE  
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of William Laffoon  
Appeal No. 26-02

The City did not reject the application, but instead requested additional information so the proposed change could be understood and approved. Information was requested in the November 3rd e-mail and again on 12/17/25 once it was clear there would be three nightclubs.

REVIEW BOARD STAFF DOCUMENT

Suggested Statement of Case History and Pertinent Facts

1. On November 3, 2025 the City of Richmond Department of Planning and Development Review (City), the agency responsible for the enforcement of Part I of the 2021 Virginia Uniform Statewide Building Code (VUSBC or VCC), **rejected** the plan review on the ~~basement and~~ first floor of the structures located at 5 E. and 7 E. Broad St in the City of Richmond submitted by William Laffoon (Laffoon) for his request for ~~three~~ **Two** new certificates of occupancy (CO) required by the City of Richmond Finance Office for a business license for the three businesses. ~~The first CO request was for the existing tenant, a nightclub, that currently occupies the entire first floor and basement of the structures located at 5 E. and 7 E. Broad St who will remain in the entire basement only of 5 E. Broad St. and 7 E. Broad St. The other two CO requests were for two new tenants, also both nightclubs, that will occupy half of the first floor each, one located at 5 E. Broad St. and the other located at 7 E. Broad St. In the City plan review rejection, the City requested in part the following clarification and/or submittal via email from the plans examiner:~~

The original CO for the nightclub was issued on 8/19/2022

The most recent applications were submitted on 10/10/2025

- Clarify use of the basement Use of basement made clear at 11/7/25 meeting
- Submit sealed, unlocked drawing set for each new tenant space
- Indicate in the drawing if the goal is to reestablish 5 E. Broad Street address or create two suites under the 7 E. Broad Street address; if two suites are proposed, provide the suite numbers Address issue resolved at the 11/7/25 Meeting
- Provide plumbing calculations coordinated with the occupancy load

This information was requested in an e-mail sent on 11/3/25. At the 11/7/25 meeting it was made clear a door opening in the wall that separates 5 and 7 East Broad Street was closed in as part of a previously completed permit. The wall ratings therefore are irrelevant to the current application scope. No additional information is needed as it relates to these line items.

- Show where wall openings are being filled and indicate what materials are proposed for the new walls
- Call out rated assemblies
- Drawing should include code summary specifying the building code, construction type, use classification, occupant load calculations, sprinkler information, etc.
- Basement separation and access, if applicable
- Requiring permits

For each tenant

The intent of the 11/3/25 e-mail was to understand the proposed change. The previous CO included the basement which was not referenced in the two submitted applications. It was unclear how the basement would be used moving forward or if anything was preventing the first floor nightclub occupants from spreading into what might be a large unused basement space.

*Note: The City required the plan review pursuant to VCC Section 108.1 When applications are required Item #2 and Virginia Existing Building Code, (VEBC) Section 202, definition of Change of Occupancy Item #2, due to the subdivision of the first-floor tenant space which changed the level of activity in the building.*

2. Laffoon filed an appeal application to the City of Richmond Local Board of Building Code Appeals (local appeals board) on January 16, 2026. On February 18, 2026, the local appeals board “Upheld” the appeal finding that “*the intent of the code was applied and enforced properly by the code official.*” On February 23, 2026, Laffoon further appealed to the Review Board seeking to overturn the decision of the city and local appeals board.

3. Review Board staff conducted an informal fact-finding conference (IFFC) on May 5, 2026 for the Laffoon appeal (Appeal No. 26-02), which was attended by William Laffoon, Daniel Mouer, and Michelle Dickson. The first issue addressed during the IFFC was for staff to gain clarity on the structure subject to the appeal and scope of the proposed project related to the appeal.

4. The second issue addressed during the IFFC was clarifying the issues for resolution for the appeal. While processing the appeal Review Board staff found that the appeal to the local appeals board may have been untimely. Laffoon had not identified the potential jurisdictional issue of timeliness in his statement of relief sought in his appeal application to the Review Board. Staff pointed out the potential jurisdictional issue and described the process for the potential

jurisdictional issue to the parties present should Laffoon wish to have the potential jurisdictional issue considered by the Review Board. After a brief discussion Laffoon indicated that he did not wish to have this matter considered by the Review Board at a preliminary hearing.

*Note: Review Board staff contacted the City local appeals board Secretary to determine whether the City had regularly scheduled local appeals board meetings. The City confirmed that it does have regularly scheduled local appeals board meetings: therefore, in accordance with VCC Section 119.6, the City had 45 days to hear the case. The appeal was timely to the local appeals board.*

Once the remaining issues for resolution were identified, Review Board staff reviewed the record of the appeal with the parties whereby duplicate pages as well as all pages not related to the identified potential violations being appealed and/or issues for resolution were eliminated.

5. This staff document, along with a copy of all documents submitted, will be sent to the parties and opportunity given for the submittal of additions, corrections, or objections to the staff document, and the submittal of additional documents or written arguments to be included in the information distributed to the Review Board members for the hearing before the Review Board.

#### Suggested Issues for Resolution by the Review Board

1. Whether to overturn the decision of the City and the local appeals board that building permits are required for a change of tenant when the building *Use and Occupancy Classification* remains the same.

2. Whether to overturn the decision of the City and local appeals board that Laffoon must provide the City with information for plan review when the City possesses files showing the requisite information.

3. Whether to overturn the decision of the City and local appeals board requiring information be submitted to the City beyond what the code requires.

What information requested is generating item 3?

We requested the drawing include a description describing the proposed change. This may not be a code requirement but allows us to accurately classify a building. For example, at the May 5 meeting we learned electronic gaming is proposed in at least one of the first floor tenant spaces. Had this information been provided on the submitted drawing, a review comment would have been generated referencing VCC Section 508.2.3. It is unclear if the A-3 use will be less than 10% of the story allowing it to be accessory to the A-2 use.

4. Whether to overturn the decision of the City and local appeals board that the occupant load of a building or space cannot be reduced, by owner request, to be lower than the calculated occupant load in accordance with VCC Section 1004.5 *Area without fixed seating*.

5. Whether to overturn the decision of the City and local appeals board that all tenants in a building/structure shall have ready access to the overcurrent device pursuant to National Electrical Code Article 240.24 *Location in or on premises*.

VCC Section 1004.5 states, "the occupant load shall be not less than that number determined by dividing the floor area under consideration by the occupant load factor assigned to the function of the space as set forth in Table 1004.5." This section includes an exception that that, "Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load." The applicant can round up or submit a formal request to the building official requesting an occupant load lower than the calculated occupant load number.

Numbered exhibits were removed from the Documents submitted by the City of Richmond in an effort to eliminate duplicate information. The title pages for the exhibits were left in. Should something be added on the title pages indicating where the referenced exhibits can be located?

Exhibit 1 - Now Page 7 (minus the green marks)

Exhibit 2 - Now Page 44

Exhibit 6, 1 of 3 - Now Page 5

Exhibit 6, 2 of 3 - Now Page 6

Exhibit 6, 3 of 3 - Now Page 7

Exhibit 7, 1 of 4 - Now Page 23

Exhibit 7, 2 of 4 - Now Page 24

Exhibit 7, 3 of 4 - Now Page 25

Exhibit 7, 4 of 4 - Now Page 4

# Staff Note

During the May 5, 2026 Informal Fact-Finding Conference (IFFC), Review Board staff (staff) inquired whether either party knew what the LBBCA meant by its February 18, 2026 written decision because as written the LBBCA decision was not clear. Neither party was able to offer clarification on the LBBCA decision. After the IFFC, City of Richmond Building Commissioner, David Alley, copied staff in an email to LBBCA Secretary, Keisha Felton, requesting clarification of the LBBCA written decision be provided to staff. Ms. Felton contacted staff seeking guidance on Mr. Alley's request. Staff advised Ms. Felton that it had not requested clarification of the LBBCA decision merely asked if the parties could clarify the LBBCA decision; however, if the City wished to submit a clarification statement that it should come from the LBBCA Chair not LBBCA staff.

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## City of Richmond Local Board of Building Code Appeals

**Appeal # B-01-2026-173897-2025**

**Date of Hearing: February 18<sup>th</sup>, 2026**

This is a clarification of the written decision dated February 23<sup>rd</sup>, 2026. This decision upheld that the intent of the code was properly applied and enforced by the Code Official.

The Appellant provided 7 points in their appeal documents which were responded to by the Department of Planning and Development:

### Appellant Items

1-Building permits (3) were required for review.

2-No work was called for and no work was needed.

3-The reviewer improperly interpreted the code section for occupancy load requirements re: means of egress.

4-The reviewer asked for information already on the drawings/included in the permit application.

5-The reviewer does not reference code sections.

6-The code official is imposing more restrictive requirements.

7-The conditions being required contradict the purpose of the building code.

After review of the documents submitted, per the Board's bylaws. Statements were heard from the Appellant and Appellee, clarifying questions were asked by all parties, and the Board deliberated the information gathered. The base question was related to the requirement for building permits (1 for each proposed tenant (3)) in order to obtain a Certificate of Occupancy. The current occupancy allowed for a single Nightclub tenant.

The Appellant was requesting Certificates of Occupancy for an additional two (2) Nightclub tenants, with Planning and Development requiring the permit applications.

Responses to the Appellant's Items:

1-Section 26-876 from the 2020 Code was noted to require a Certificate of Occupancy or a Certificate of Zoning Compliance to obtain a business license. The Board determined that the request for a building permit was valid such that verification of compliance with building codes were met as relates to possible changes in occupancy; specifically related to (but not limited to) means of egress, fire protection, and adequate facilities.

2-Section 108.1, item 2 of the 2021 Virginia Construction Code: "For changes in occupancy, application for permit shall be made when a new certificate of occupancy is required by the VEBC". This change in tenant quantity could affect the level of activity/ overall occupancy and would create three (3) separate businesses operating in the same space. Therefore, permits would be required, with drawings, to verify the impact of this change. Specifically related to fire protection, means of egress, and sanitation (adequate facilities). Not an administrative "name change".

3-The Appellant relied on a prior Certificate of Occupancy in the filing. This prior Certificate of Occupancy was issued under a prior permit for a single tenant. This prior Certificate of Occupancy does not apply to the current, requested, change in occupancy. As such, the Appellant should submit a permit application, with drawings, for each proposed tenant to allow for review and confirmation of compliance to the Code.

4-The Appellant asserted that the information requested was already noted on the drawings and permit application. Each proposed tenant would need this information included on a separate permit application, and drawing set, to obtain their individual Certificate of Occupancy. Without this submission it is not feasible for the reviewer to verify the specific areas each tenant will occupy and confirm that Code minimums are met.

5-240.24 of the 2020 NFPA 70 Code Section requires each tenant to have ready access to all overcurrent devices protecting the conductors supplying that occupant, with exceptions noted in the Appellee's response. The Appellant has not provided the required letter confirming that Owner Management Personnel would be available to maintain and service equipment. This would be part of the permitting process being requested.

6-This item was not submitted to the LBBC in the submission package. This was based on a meeting with City Officials, outside the LBBC's purview. This points to the requirement for sealed construction documents which have been shown to be required.

7- This item was not submitted to the LBBC in the submission package. This was based on a meeting with City Officials, outside the LBBC's purview. This questions the related to a post permit question from 2019 which would have no application to the current

request for additional tenants. Prior permits have no relevance to the current request for Certificates of Occupancy.

The Appellant requested fines be levied against the Department of Planning and Development. This is outside the LBBC's authority and would be a civil matter. As such this was not included in the determination.

Chair of Local Board of Building Code Appeals

A handwritten signature in black ink, appearing to read "Justin White", with a stylized flourish extending to the right.

Justin White

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**REQUEST FOR INTERPRETATION**

TO: OFFICE OF THE STATE BUILDING CODE TECHNICAL REVIEW BOARD  
VIRGINIA DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT  
Main Street Centre  
600 E. Main Street, Suite 300  
Richmond, Virginia 23219-1321  
Tel: (804) 371-7150 Fax: (804) 371-7092  
Email: sbco@dhcd.virginia.gov



From: Raymond Rinaldi, Building Official Loudoun County

Phone Number : 571-627-8200

Email Address: raymond.rinaldi@loudoun.gov

Applicable Code: 2021 Virginia Construction Code

Code Section(s): 102.1

Submitted by (signature): *MWR* Date: 4/6/2026

**QUESTION(S):**

1. Is a tower or mobile crane temporarily erected for the purpose of constructing a building considered a structure under the USBC?
2. Is a tower or mobile crane temporarily erected for the purpose of constructing a building regulated by the USBC?

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# 2021 Virginia Construction Code

## CHAPTER 1 ADMINISTRATION

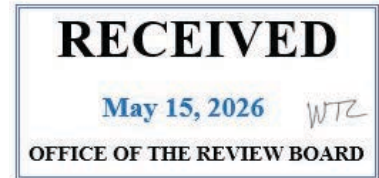
### **102.1 Purpose.**

In accordance with § 36-99 of the Code of Virginia, the purpose of the USBC is to protect the health, safety and welfare of the residents of the Commonwealth of Virginia, provided that *buildings* and *structures* should be permitted to be constructed at the least possible cost consistent with recognized standards of health, safety, energy conservation and water conservation, including provisions necessary to prevent overcrowding, rodent or insect infestation, and garbage accumulation; and barrier-free provisions for the physically handicapped and aged.

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**REQUEST FOR INTERPRETATION**

TO: OFFICE OF THE STATE BUILDING CODE TECHNICAL REVIEW BOARD  
VIRGINIA DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT  
Main Street Centre  
600 E. Main Street, Suite 300  
Richmond, Virginia 23219-1321  
Tel: (804) 371-7150 Fax: (804) 371-7092  
Email: sbco@dhcd.virginia.gov



From: Michael Long

Phone Number : 703-246-8706

Email Address: michael.long2@fairfaxcounty.gov

Applicable Code: 2021 VCC

Code Section(s): 2021 VCC 903.3.1.1; 2019 NFPA 13 16.4.1; 2019 NFPA 13 9.2.1.7

Submitted by (signature):  Date: 5/14/2026

QUESTION(S):

Please see the TRB Interpretation Request Letter as an addendum to this form.

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# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

May 14, 2026

State Building Code Technical Review Board  
600 E. Main Street, Suite 300  
Richmond, VA 23219

Dear Board Members:

Please accept this letter as an addendum to the Request for Interpretation form provided. The purpose of this letter is to provide the code and standard sections, scenarios, and questions for the Board to review and provide interpretation. The context revolves around 2019 NFPA 13 requirements for combustibles concealed spaces; specially, these questions are addressing how wet pipe may be impacted when located within flat-roof attic spaces.

## APPLICABLE CODE AND STANDARDS

2021 Virginia Construction Code:  
2019 NFPA 13, Installation of Sprinkler Systems

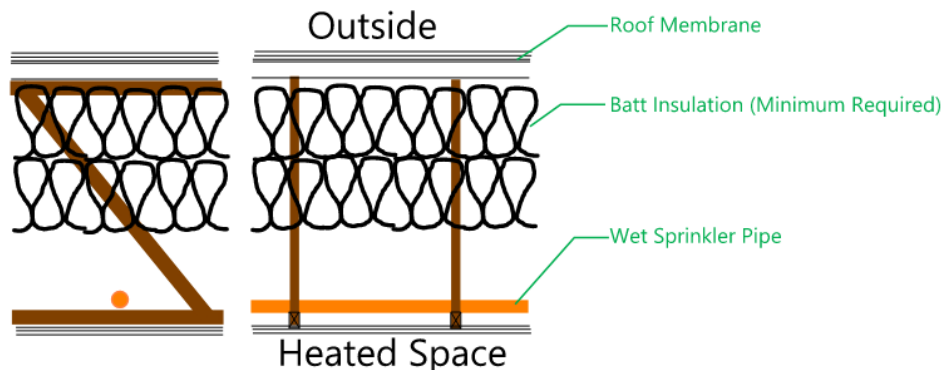
## APPLICABLE SECTIONS

VCC 903.3.1.1 (*VCC references using NFPA 13 for sprinkler design.*)  
NFPA 13 9.2.1.7, 16.4.1.5, & 19.3.3.1.5.2 (3)

## QUESTION(S)

Consider a five-story residential building where fire sprinkler wet pipe is being ran in the interstitial / attic space – the space above the ceiling but below a flat roof. This concealed space has the minimum insulation required by code.

The following visual is provided to help clarify Questions 1-4:



QUESTION 1

During the fire sprinkler plan review, does the AHJ have authority to request heat loss calculations from the RDP when there is concern that the concealed space may have temperatures that drop below 40°F per 13:16.4.1.5?

QUESTION 2

Since the space is provided with the minimum required insulation, will the building heat prevent the wet pipe located in the concealed space from being exposed to temperatures less than 40°F?

QUESTION 3

If Question 2 is yes:

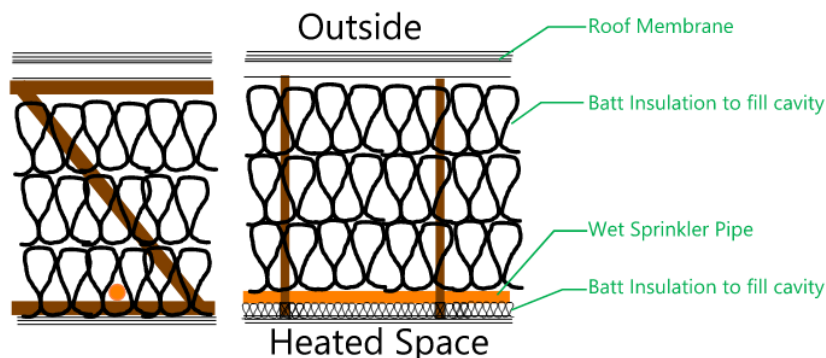
- (a) Is a heated space maintained at 60°F sufficient heat during the cold months to prevent the pipe from freezing in the concealed space?
- (b) Is a heated space maintained at 50°F sufficient heat during the cold months to prevent the pipe from freezing in the concealed space?
- (c) Is a heated space maintained at 40°F sufficient heat during the cold months to prevent the pipe from freezing in the concealed space?

QUESTION 4

Since the space is provided with the minimum required insulation, should the AHJ be concerned with the pipe being exposed to temperatures less than 40°F?

FOLLOW UP: Consider the same scenario; however, to omit sprinklers in the combustible concealed space, the space is filled with noncombustible insulation per 13:9.2.1.7. The insulation is provided around the sprinkler pipe.

Please refer to the following for Questions 5-6:



QUESTION 5

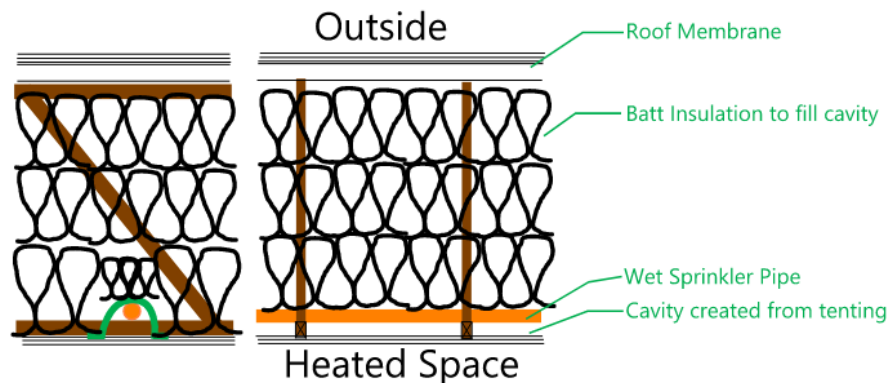
By filling a concealed space with insulation and providing insulation between the pipe and heated space, should the AHJ be concerned with the pipe being exposed to temperatures less than 40°F?

QUESTION 6

Does the building's heat provided below the ceiling provide adequate heat to prevent the pipe from being exposed to temperatures less than 40°F?

FOLLOW UP: To allow heat from the heated space to provide the heat for the wet pipe in the concealed space, the wet pipe is tented with insulation. This method creates air channels below the pipe.

Please refer to the following for Question 7-8:



QUESTION 7

Using the tent method, does the air channel(s) created between the pipe and heated space below comply with 13:9.2.1.7?

QUESTION 8

Using the tent method, does the air channel(s) created between the pipe and heated space below considered to be “filled entirely with noncombustible insulation” for the application of 13:19.3.3.1.5.2 (3)?

Thank you for taking the time to consider these questions and appreciate the forthcoming interpretation. Should you have any further questions or comments then please don't hesitate to reach out to me at 703-246-8706 or by email: [Michael.Long2@fairfaxcounty.gov](mailto:Michael.Long2@fairfaxcounty.gov)

Sincerely,

Michael Long, P.E.  
Engineer IV  
Fairfax County Office of the Fire Marshal

## 2021 Virginia Construction Code

### CHAPTER 9 FIRE PROTECTION AND LIFE SAFETY SYSTEMS

#### **[F] 903.3.1.1 NFPA 13 sprinkler systems.**

Where the provisions of this code require that a building or portion thereof be equipped throughout with an *automatic sprinkler system* in accordance with this section, sprinklers shall be installed throughout in accordance with [NFPA 13](#) except as provided in [Sections 903.3.1.1.1](#) and [903.3.1.1.2](#).

#### **[F] 903.3.1.1.1 Exempt locations.**

Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an *approved* automatic fire detection system in accordance with [Section 907.2](#) that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. A room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where *approved* by the fire code official.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a *fire-resistance rating* of not less than 2 hours.
4. Rooms or areas that are of noncombustible construction with wholly noncombustible contents.
5. Fire service access elevator machine rooms and machinery spaces.
6. Machine rooms, machinery spaces, control rooms and control spaces associated with occupant evacuation elevators designed in accordance with [Section 3008](#).

#### **[F] 903.3.1.1.2 Bathrooms.**

In Group R occupancies sprinklers shall not be required in bathrooms that do not exceed 55 square feet (5 m<sup>2</sup>) in area and are located within individual *dwelling units* or *sleeping units*, provided that walls and ceilings, including the walls and ceilings behind a shower enclosure or tub, are of noncombustible or limited-combustible materials with a 15-minute thermal barrier rating.

## 2019 NFPA 13

### 9.2.1.7

Concealed spaces filled with noncombustible insulation shall not require sprinkler protection.

#### 9.2.1.7.1

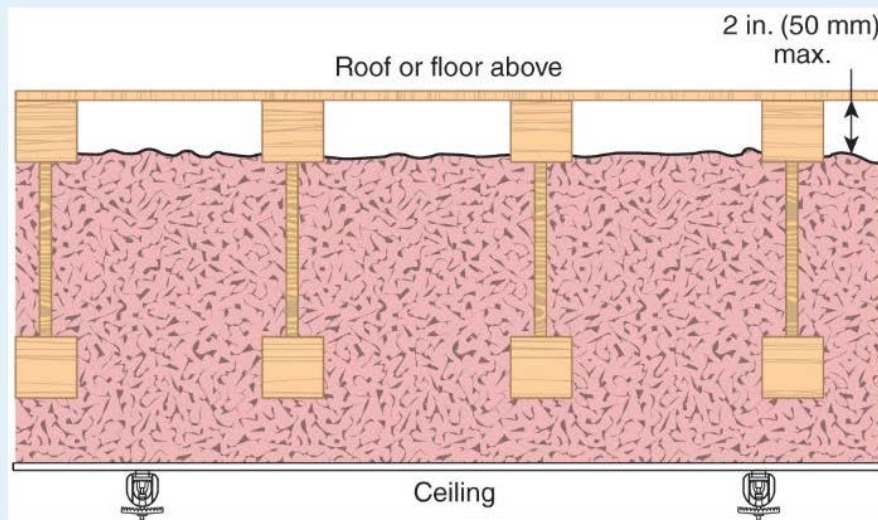
A maximum 2 in. (50 mm) air gap at the top of the space shall be permitted.

INSIGHTS

Collapse X

In some cases, filling an unsprinklered combustibile concealed space with noncombustible insulation might be more economically advantageous than installing sprinklers. It is frequently a practical problem to completely fill concealed spaces with insulation. In the 2013 edition, language was added to permit a 2 in. (50 mm) air gap between the top of the insulation and the roof or ceiling above. Exhibit 9.4 provides an example of this requirement.

#### EXHIBIT 9.4 Insulation Not Required to Completely Fill Space.



## 2019 NFPA 13

### 16.4.1.5

Water-filled piping shall be permitted to be installed in areas where the temperature is less than 40°F (4°C) when heat loss calculations performed by a professional engineer verify that the system will not freeze.

#### 19.3.3.1.5.2

The following unsprinklered concealed spaces shall not require a minimum area of sprinkler operation of 3000 ft<sup>2</sup> (280 m<sup>2</sup>):

- (1) Noncombustible and limited-combustible concealed spaces with minimal combustible loading having no access. The space shall be considered a concealed space even with small openings such as those used as return air for a plenum.
- (2) Noncombustible and limited-combustible concealed spaces with limited access and not permitting occupancy or storage of combustibles. The space shall be considered a concealed space even with small openings such as those used as return air for a plenum.
- (3) Combustible concealed spaces filled entirely with noncombustible insulation.
- (4)\* Light or ordinary hazard occupancies where noncombustible or limited-combustible ceilings are directly attached to the bottom of solid wood joists or solid limited-combustible construction or noncombustible construction so as to create enclosed joist spaces 160 ft<sup>3</sup> (4.5 m<sup>3</sup>) or less in volume, including space below insulation that is laid directly on top or within the ceiling joists in an otherwise sprinklered concealed space.
- (5) Concealed spaces where rigid materials are used and the exposed surfaces comply with one of the following in the form in which they are installed in the space:
  - (a) The surface materials have a flame spread index of 25 or less and the materials have been demonstrated to not propagate fire more than 10.5 ft (3.2 m) when tested in accordance with ASTM E84, *Standard Test Method for Surface Burning Characteristics of Building Materials*, or UL 723, *Standard for Test for Surface Burning Characteristics of Building Materials*, extended for an additional 20 minutes in the form in which they are installed in the space or
  - (b) The surface materials comply with the requirements of ASTM E2768, *Standard Test Method for Extended Duration Surface Burning Characteristics of Building Materials (30 min Tunnel Test)*.
- (6) Concealed spaces in which the exposed materials are constructed entirely of fire-retardant-treated wood as defined by NFPA 703.
- (7) Concealed spaces over isolated small rooms not exceeding 55 ft<sup>2</sup> (5.1 m<sup>2</sup>) in area.
- (8) Vertical pipe chases under 10 ft<sup>2</sup> (0.9 m<sup>2</sup>), provided that in multifloor buildings the chases are firestopped at each floor using materials equivalent to the floor construction, and where such pipe chases contain no sources of ignition, piping shall be noncombustible, and pipe penetrations at each floor shall be properly sealed.
- (9) Exterior columns under 10 ft<sup>2</sup> (0.9 m<sup>2</sup>) in area formed by studs or wood joists, supporting exterior canopies that are fully protected with a sprinkler system.
- (10)\* Light or ordinary hazard occupancies where noncombustible or limited-combustible ceilings are attached to the bottom of composite wood joists either directly or on to metal channels not exceeding 1 in. (25 mm) in depth, provided the adjacent joist channels are firestopped into volumes not exceeding 160 ft<sup>3</sup> (4.5 m<sup>3</sup>) using materials equivalent to 1/2 in. (13 mm) gypsum board, and at least 3 1/2 in. (90 mm) of batt insulation is installed at the bottom of the joist channels when the ceiling is attached utilizing metal channels.
- (11) Cavities within unsprinklered wall spaces.

## State Building Code Technical Review Board Policy #30

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**Title:** Remote Participation of State Building Code Technical Review Board Members

**Authority:** Section 2.2-3708.3 of the Code of Virginia and is to be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), Code of Virginia Section 2.2-3700—3715.

This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor or the Board of Supervisors. Any meeting conducted by electronic communication means under such circumstances shall be governed by the provisions of Va. Code § 2.2-3708.2. This policy also does not apply to an all-virtual public meeting.

**Policy Statement:** **DEFINITIONS**

- a. **“BOARD”** means the State Building Code Technical Review Board or any committee, subcommittee, or other entity of the State Building Code Technical Review Board.
- b. **“Member”** means any member of the State Building Code Technical Review Board.
- c. **“Remote participation”** means participation by an individual member of the State Building Code Technical Review Board by electronic communication means in a public meeting where a quorum of the Board is physically assembled, as defined by Va. Code § 2.2-3701.
- d. **“Meeting”** means a meeting as defined by Va. Code § 2.2-3701.
- e. **“Notify”** or **“notifies,”** for purposes of this policy, means written notice, such as email or letter. Notice does not include text messages or communications via social media.

### **MANDATORY REQUIREMENTS**

Regardless of the reasons why the member is participating in a meeting from a remote location by electronic communication means, the following conditions must be met for the member to participate remotely:

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a. A quorum of the Board must be physically assembled at the primary or central meeting location; and

b. Arrangements have been made for the voice of the remotely participating member to be heard by all persons at the primary or central meeting location. If at any point during the meeting the voice of the remotely participating member is no longer able to be heard by all persons at the meeting location, the remotely participating member shall no longer be permitted to participate remotely. When the remotely participating member cannot hear all persons at the primary or central meeting location, the remotely participating member will abstain from all discussions and votes.

#### **PROCESS TO REQUEST REMOTE PARTICIPATION**

a. A minimum of 10 business days before the meeting begins, the requesting member must notify the Board Chair (or the Vice-Chair if the requesting member is the Chair) that they are unable to physically attend a meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance, (ii) a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance, (iii) their principal residence location more than 60 miles from the meeting location, or (iv) a personal matter and identifies with specificity the nature of the personal matter.

b. The requesting member shall also notify the Board Secretary of their request, but their failure to do so shall not affect their ability to remotely participate.

c. If the requesting member is unable to physically attend the meeting due to a personal matter, the requesting member must state with specificity the nature of the personal matter. Remote participation due to a personal matter is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. There is no limit to the number of times that a member may participate remotely for the other authorized purposes listed in (i)—(iii) above.

d. The requesting member is not obligated to provide independent verification regarding the reason for their nonattendance, including the temporary or permanent disability or other medical condition or the family member's medical condition that prevents their physical attendance at the meeting.

e. The Chair (or the Vice-Chair if the requesting member is the Chair) shall promptly notify the requesting member whether their request is in conformance with this policy, and therefore approved or disapproved.

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**PROCESS TO CONFIRM APPROVAL OR DISAPPROVAL OF PARTICIPATION FROM A REMOTE LOCATION**

When a quorum of the Board has assembled for the meeting, the Board shall vote to determine whether:

- a. The Chair's decision to approve or disapprove the requesting member's request to participate from a remote location was in conformance with this policy; and
- b. The voice of the remotely participating member can be heard by all persons at the primary or central meeting location.

**RECORDING IN MINUTES:**

- a. If the member is allowed to participate remotely due to a temporary or permanent disability or other medical condition, a family member's medical condition that requires the member to provide care to the family member, or because their principal residence is located more than 60 miles from the meeting location the Board shall record in its minutes (1) the Board's approval of the member's remote participation; and (2) a general description of the remote location from which the member participated.
- b. If the member is allowed to participate remotely due to a personal matter, such matter shall be cited in the minutes with specificity, as well as how many times the member has attended remotely due to a personal matter, and a general description of the remote location from which the member participated.
- c. If a member's request to participate remotely is disapproved, the disapproval, including the grounds upon which the requested participation violates this policy or VFOIA, shall be recorded in the minutes with specificity.

**CLOSED SESSION**

If the Board goes into closed session, the member participating remotely shall ensure that no third party is able to hear or otherwise observe the closed meeting.

**STRICT AND UNIFORM APPLICATION OF THIS POLICY**

This Policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

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The Chair (or Vice-Chair) shall maintain the member's written request to participate remotely and the written response for a period of one year, or other such time required by records retention laws, regulations, and policies.

**Approval  
and Review:**

This Board policy was reviewed and approved on 03/17/2023.

**Supersession:**

This Board policy was revised and approved on 06/12/2026.

**Board Chair  
at Last Review:**

James R. Dawson

**DHCD Director:**

Tamarah Holmes

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## State Building Code Technical Review Board Policy #31

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**Title:** All Virtual Public Meeting of the State Building Code Technical Review Board

**Authority:** Section 2.2-3708.3 of the Code of Virginia and is to be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), Code of Virginia Section 2.2-3700—3715.

This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor or the Board of Supervisors. Any meeting conducted by electronic communication means under such circumstances shall be governed by the provisions of Va. Code § 2.2-3708.2.

**Policy Statement:** **DEFINITIONS**

a. **“BOARD”** means the State Building Code Technical Review Board or any committee, subcommittee, or other entity of the State Building Code Technical Review Board.

b. **“Member”** means any member of the State Building Code Technical Review Board.

c. **“All-virtual public meeting”** means a public meeting conducted by the Board using electronic communication means during which all members of the public body who participate do so remotely rather than being assembled in one physical location, and to which public access is provided through electronic communication means, as defined by Va. Code § 2.2-3701.

d. **“Meeting”** means a meeting as defined by Va. Code § 2.2-3701.

e. **“Notify”** or **“notifies,”** for purposes of this policy, means written notice, such as email or letter. Notice does not include text messages or communications via social media.

### **WHEN AN ALL-VIRTUAL PUBLIC MEETING MAY BE AUTHORIZED**

An all-virtual public meeting may be held under the following circumstances:

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- a. It is impracticable or unsafe to assemble a quorum of the Board in a single location, but a state of emergency has not been declared by the Governor; or
- b. Other circumstances warrant the holding of an all-virtual public meeting as determined by the Chair or Vice-Chair in the absence of the Chair, including, but not limited to, the convenience of an all-virtual meeting; and
- c. The Board has not had more than two all-virtual public meetings, or more than 50 percent of its meetings rounded up to the next whole number, whichever is greater, during the calendar year; and
- d. The Board's last meeting was not an all-virtual public meeting.
- e. Virtual meetings may only be utilized for administrative matters.

#### **PROCESS TO AUTHORIZE AN ALL-VIRTUAL PUBLIC MEETING**

- a. The Board may schedule its all-virtual public meetings at the same time and using the same procedures used by the Board to set its meetings calendar for the calendar year; or
- b. If the Board wishes to have an all-virtual public meeting on a date not scheduled in advance on its meetings calendar, and an all-virtual public meeting is authorized under Section 3 above, the Board Chair may schedule an all-virtual public meeting provided that any such meeting comports with VFOIA notice requirements.

#### **ALL-VIRTUAL PUBLIC MEETING REQUIREMENTS**

The following applies to any all-virtual public meeting of the Board that is scheduled in conformance with this Policy:

- a. The meeting notice indicates that the public meeting will be all-virtual and the Board will not change the method by which the Board chooses to meet without providing a new meeting notice that comports with VFOIA;
- b. Public access is provided by electronic communication means that allows the public to hear all participating members of the Board;
- c. Audio-visual technology, if available, is used to allow the public to see the members of the Board;
- d. A phone number, email address, or other live contact information is provided to the public to alert the Board if electronic transmission of the meeting fails for

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the public, and if such transmission fails, the Board takes a recess until public access is restored;

e. A copy of the proposed agenda and all agenda packets (unless exempt) are made available to the public electronically at the same time such materials are provided to the Board;

f. The public is afforded the opportunity to comment through electronic means, including written comments, at meetings where public comment is customarily received; and

g. There are no more than two members of the Board together in one physical location.

**RECORDING IN MINUTES:**

Minutes are taken as required by VFOIA and must include the fact that the meeting was held by electronic communication means and the type of electronic communication means used.

**CLOSED SESSION**

If the Board goes into closed session, transmission of the meeting will be suspended until the public body resumes to certify the closed meeting in open session.

**STRICT AND UNIFORM APPLICATION OF THIS POLICY**

This Policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the matters that will be considered or voted on at the meeting.

**Approval  
and Review:**

This Board policy was reviewed and approved on 03/17/2023.

**Supersession:**

This Board policy was revised and approved on 06/12/2026.

**Board Chair  
at Last Review:**

James R. Dawson

**DHCD Director:**

Tamarah Holmes

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