

BOARD OF BUILDING CODE STANDARDS AND APPEALS MINUTES

September 14, 2015

Members: Francisco Banuelos, Randy Coonrod, Daryl Crotts, Brad Doeden, Randy Harder, Russ Redford, Larry Webb, Gregg Wilhite, Warren Willenberg

Present: Coonrod, Crotts, Doeden, Harder, Redford, Wilhite

Staff Members Present: Tom Stolz, Bud Lett, Deb Legge, Richard Meier, Penny Bohannon (MABCD); Jeff Van Zandt (City Law Dept.); Justin Waggoner (Sedgwick County Counselors' Office)

The regular meeting of the Board of Building Code Standards and Appeals was called to order by Chairman Harder on Monday, September 14, 2015, at 1:00 p.m., at the Wichita Area Builders' Association Offices, 730 N. Main, Wichita, Kansas.

Approval of August 3, 2015, Minutes

Board Member Coonrod made a motion to approve the August 3, 2015, minutes. Board Member Crotts seconded the motion. The motion was approved (6 – 0).

Public Agenda

There was no one present to speak on the Public Agenda.

New Business

Condemnations:

1. 248 N Spruce

Juan Romero, son of the property owner, was present.

This one-story frame dwelling is about 39 x 57 feet in size. Vacant for at least eight years, this structure has been damaged by fire. It has rotted, missing and fire damaged siding shingles; badly deteriorated, fire damaged composition roof; dilapidated front porch; dilapidated carport; and rotted and fire damaged fascia, soffit and trim.

Mr. Romero provided photos showing the improvements made to the exterior of the structure.

As recommended by staff, Board Member Crotts made a motion to remove the property from condemnation action and return it to Code Enforcement. Board Member Doeden seconded the motion. The motion carried. (6-0)

2. 3020 S. Clifton

The owner, Claudia Rojas, was present.

Vacant for at least seven months, this one-story frame dwelling is about 32 x 26 feet in size. This structure has been damaged by fire. It has a fire damaged roof, with holes; fire damaged trasite siding; fire damaged front porch; and the 26 x 24 foot accesory structure is dilapidated.

A permit for some of the exterior repairs has been issued. The site is being maintained clean and secure.

Concurring with the staff recommendation to grant an extension for completion of the exterior repairs, Board Member Coonrod made a motion to give the owner until December 7, 2015, meeting, continuing to maintain the site in a clean and secure condition in the interim. If the exterior is not complete by the December 7, 2015, meeting, the owner is to reappear before the Board to give a status update. Vice Chairman Wilhite seconded the motion. The motion was approved. (6-0)

Unfit for Habitation Case:

1548 S. Topeka

There was no one present to represent this property.

Approximately 26 x 51 feet in size, this is a one- and one-half story frame dwelling. This structure has a shifting block foundation; rotted siding; deteriorated front porch; no water or sewer service; unusable plumbing facilities; and the interior is full of human waste and discarded adult diapers.

As recommended by staff, Board Member Coonrod made a motion to declare the property unfit for habitation and to submit the property to the City Council for condemnation action, with ten days to begin demolition and ten days to complete wrecking of the structure. Board Member Crotts seconded the motion. The motion passed. (6-0)

New Cases:

There were no new cases for September.

Request by MABCD for Revocation of Class C Contractor's License – Brandon DeSylva dba Compass Remodeling and Construction.

Pursuant to Article 2.1.190 of the Unified Building and Trade Code, MABCD requested the revocation of the Class C Contractor's License of Brandon R. DeSylva dba Compass Remodeling and Construction (BUS2015-09095).

Tom Stolz, Director of MABCD, gave a brief explanation of the circumstances surrounding the decision to bring Mr. DeSylva's license before the Board.

Justin Waggoner, Assistant County Counselor was present to present the case to the Board. Jeff Van Zandt, Assistant City Attorney, was present as Counsel to the Board. Brandon DeSylva was present as was his counsel, attorneys Mike Severt and Walter Craig.

Jay and Suzanne Allen attended the hearing to give testimony regarding the complaint lodged against Mr. DeSylva.

After the testimony of those concerned was completed and the exhibits introduced, the Board called a recess at 4:45 p.m. to meet in executive session. The Board reconvened at 5:05 p.m..

Board Member Coonrod made a motion to continue the hearing regarding Mr. DeSylva's license at the October 5, 2015, meeting. Vice Chairman Wilhite seconded the motion. The motion was approved. (6-0)

Adjournment

With no other business to conduct, Board Member Coonrod made a motion to adjourn. Vice Chairman Wilhite seconded the motion. The motion passed unanimously (6-0).

The meeting adjourned at 5:07 p.m.