

BOARD OF BUILDING CODE STANDARDS AND APPEALS MINUTES

September 12, 2016

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

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

Staff Members Present: Kyle McLaren, Richard Meier, Deb Legge, Penny Bohannon (MABCD); Jeff Van Zandt (City Law Dept.); Tyler Roush (Sedgwick County Law Dept.)

The regular meeting of the Board of Building Code Standards and Appeals was called to order by Chairman Harder on Monday, September 12, 2016, at 1:07 p.m., at the Wichita Area Builders' Association Offices, 730 N. Main, Wichita, Kansas.

Approval of July 11, 2016, Minutes

A motion was made by Vice Chairman Wilhite to approve the July 11, 2016, minutes. Board Member Redford seconded the motion. The motion was approved (6 - 0).

Public Agenda

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

Chairman Harder requested that the Board and staff present introduce themselves to the public in attendance.

New Business

Condemnations:

1. 1322 N. Wabash Ave.

No one attended the meeting on behalf of this property.

A one-story frame dwelling about 25 x 40 feet in size, this building is vacant and open. This structure has been damaged by fire. It has a sagging and badly deteriorated composition roof, with missing shingles and holes; exposed, rotted rafters; dilapidated front porch; fire damaged wood trim and framing members; rotted soffit and fascia; and the 10 x 10 accessory structure is deteriorated.

As recommended by staff, Board Member Banuelos made a motion to refer the property to the City Council for condemnation with ten days to start demolition and ten days to complete the wrecking. Board Member Redford seconded the motion. The motion carried. (6 – 0)

2. 1507 N. Terrace Dr.

The owner, Khanh Kim Nguyen, was present.

Vacant and for at least a year, this one-story frame dwelling is about 25 x 35 feet in size. This structure has a cracking and shifting concrete foundation; shifting and cracking brick siding; collapsed front porch; deteriorated rear porch; and rotted soffit, fascia and wood trim.

At the last site inspection, staff noticed significant improvement on the property. As suggested by staff, the Board voted unanimously to return the property to regular code enforcement.

3. 1608 N. Minneapolis Ave (Garage)

There was no one present on behalf of this property.

This is a one-story garage about 28 x 42 feet in size. This dilapidated structure has rotted and missing siding; rotted and missing wood trim; and collapsing roof.

As recommended by staff, Board Member Redford made a motion to submit the property to the City Council for condemnation, with ten days to begin removal and ten days to finish the wrecking. Board Member Coonrod seconded the motion. The motion passed. (6 – 0)

4. 2232 N. Volutsia Ave.

Gwendolyn Tuggie, daughter of the owner, and Wilbur Peters, son of the owner, were present.

A one-story masonry dwelling about 30 x 30 feet in size. Vacant for at least two years, this structure has cracking basement walls; failing masonry exterior walls with large cracks; dilapidated rear porch; water damaged framing members; rotted fascia; and the 20 x 20 accessory structure is deteriorating.

Board Member Doeden made a motion to allow until the January 2017 meeting for the violations to be corrected and the taxes paid up to date, maintaining the site in a clean and secure condition in the interim. Board Member Banuelos seconded the motion. The motion passed. (6 – 0)

5. 1608 S. Edwards Ave Lot 10

Nancy Phyle, widow of the owner, and Stephanie Bauer, daughter of the owner, were in attendance.

This is a 10 x 40 foot mobile home. Vacant and open, this mobile home is dilapidated.

As recommended by staff, Vice Chairman Wilhite made a motion to refer the property to the City Council for condemnation, with ten days to start demolition and ten days to complete the removal. Board Member Redford seconded the motion. The motion was approved. (6 – 0)

6. 410 W. 10th N. (Rear house at 1101 N. Waco)

Dimas Cruz, the new owner of the property, and his daughter, Sandra Cruz, were present.

About 28 x 32 feet in size, this is a one-story frame dwelling. Vacant for at least a year, this structure has a cracking block foundation; rotted and missing wood siding; deteriorated composition roof, with missing shingles; deteriorated front porch; and deteriorated rafter tails, fascia and wood trim.

Board Member Banuelos made a motion to allow until the November 2016 meeting for the property to be brought into compliance, maintaining the site in a clean and secure condition in the interim. Board Member Redford seconded the motion. The motion carried. (6 – 0)

Unfit for Habitation Case:

1. 214 N. Sedgwick St

There was no one present on behalf of this property.

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This is a one- and one-half story, frame dwelling about 44x29 feet in size. This occupied structure has no running water; no electrical service; and the premises is full of trash, junk, bulky waste, and salvage material.

As recommended by staff, Board Member Doeden made a motion to declare the property unfit for habitation, allow the owner thirty days to vacate the property, and then make the necessary repairs before the structure can be occupied. Board Member Redford seconded the motion. The motion carried. (6 – 0)

2. 1244 N. Indiana Ave. (review motion)

The structure was declared unfit for habitation at the July 11, 2016, meeting. After an additional inspection of the property, staff determined that the cost of repairs would be greater than 200% of the assessed value of the property and asked that the Board reconsider its original motion. A new recommendation by staff was that the property not only be considered as unfit for habitation, but that it also be considered for condemnation. Following the staff recommendation, Board Member Redford made a motion that the declaration of unfit for habitation be upheld, and in addition that the property be submitted to the City Council for condemnation, with ten days to begin demolition and ten days to complete removal of the structure. Board Member Coonrod seconded the motion. The motion was approved. (6 – 0)

Complaint against Steve Morse dba AAA Home Improvements & Handyman, Class C Contractor's License, on the roof installation at 7 Crestview Lakes.

Tyler Roush, Assistant County Counselor, introduced the complainant and asked the Board to accept her presentation of the complaint as her testimony. As part of her presentation, Ms. Unrein provided photos of damages allegedly caused by the roof installation done by Steve Morse dba AAA Home Improvements & Handyman.

The Board heard Ms. Unrein's complaint regarding the installation of the roof at 7 Crestview Lakes, and viewed photos provided by Ms. Unrein. Mr. Morse had an attorney present who questioned Ms. Unrein about her testimony. Mr. Morse's attorney also presented Jack Burks, employee of Eaton Roofing, to give Mr. Burks' opinion as a roofing professional regarding the roof installation. Richard Meier, Interim Assistant Director, was also questioned about his findings during an inspection of the site.

When the testimony concluded, the Board adjourned into an executive session to consult with Jeff Van Zandt, attorney to the Board. When the meeting reconvened, Board Member Coonrod made a motion to defer action on the complaint and to defer action on the Class C Contractor's License of Steve Morse dba AAA Home Improvements & Handyman until the parties involved (or their representatives) can meet at the site and a reinspection of the roof can be made by MABCD staff. The Board will also be advised of the date and time scheduled for the reinspection. After consideration of those findings, the Board will make a decision about any necessary action regarding Ms. Unrein's complaint and Mr. Morse's Class C Contractor's License. Board Member Banuelos seconded the motion. The motion carried. (6 – 0)

Old Business

There was no old business.

Adjournment

With no other business to conduct, the meeting was adjourned at 4:10 p.m.