



BUILDING AND STANDARDS COMMISSION

**REGULAR MEETING MINUTES
Wednesday, April 28, 2010**

The Building and Standards Commission convened in a regular meeting on Wednesday, April 28, 2010 at 301 West 2nd Street.

Chair David Brown called the Commission Meeting to order at 6:35 p.m.

Commission Members in Attendance:

David Brown, Chair; Ethelynn Beebe, Vice Chair; Tim Hill, Stacy Kaplowitz.

Staff in Attendance:

Steve Ramirez, Assistant Division Manager; Viola Ruiz, Scribe/Commission Staff Liaison; Wes Buckner, Supervisor; John McTier, Investigator; Marcus Elliott, Investigator; Luther Perez, Investigator; Dan Cardenas, Assistant Division Director.

1. CITIZEN COMMUNICATION: GENERAL

a. None

2. OLD BUSINESS

a. 1001 East 50th Street – Steve Ramirez, ADM – Legal Operations gave an update on the status of this property. Before and after photos presented to Commission.

3. APPROVAL OF MINUTES

a. Minutes were not on April's Agenda therefore, March minutes were not reviewed or approved.

4. PUBLIC HEARINGS

Commission Coordinator Steve Ramirez presented the following cases:

a. CL 2009-060609 2312 Westoak Drive John E. and Donna Hugg

2312 Westoak Drive is a Residential Single Family Structure. Travis Central Appraisal District shows that John E. Hugg is the title owner. This case was represented by John E. Hugg, property owner. City of Austin/Code Compliance found that this property is a public nuisance with substandard conditions. Staff recommends that the Commission accept the New Findings of Fact and Conclusions of Law for this property to be adopted; and that the Commission Order a demolition permit be secured; that the Commission rescind the Repair Order issued at the July 22, 2009 BSC hearing for the purpose of issuance of a new Order; that the penalties accrued under the repair order, through today's date, be allowed to stand and will be due in full to the City of Austin; that the Commission Order the Residential Single Family Structure located on this property be demolished and the lot left in a cleaned and raked condition within 30 days of the date this Order is mailed to the owner; that all portions of the Residential Single Family Structure be removed and require the owner or owner's representative to request inspection(s) to verify compliance. If compliance is not achieved within 30 days, the Building Official may proceed with demolition. After the 30 days, all portions of the Residential Single Family Structure including items in the structures and on the property, will be considered debris and disposed of as such. A lien for all expenses incurred by the City of Austin will be filed with the Travis County Deed Records.

A motion was made to rescind the Repair Order from July 22, 2009 by Commissioner Kaplowitz, Commissioner Hill seconded. Motion passed on a 4-0-0 vote.

A further motion was made to accept staff's New Recommended Order by Commissioner Kaplowitz, Commissioner Hill seconded. Motion passed on a 4-0-0 vote.

BUILDING AND STANDARDS COMMISSION**Wednesday, April 28, 2010****b. CL 2010-030322****8300 NIH 35 SVRD SB Mann Inn Inc. Austin Suites Hotel Attn Jit Mann****CASE WITHDRAWN****c. CL 2010-030414****4419 Bucks Run, Bldg. A****Huon Phan & Tuan Nguyen****CASE WITHDRAWN****d. CL 2010-030365****4419 Dove Drive****Estate of Verna Mack**

4419 Dove Drive is a Residential Single Family Structure. Travis Central Appraisal District shows that the Estate of Verna Mack is the owner of this property. This case was represented by Monica Mack, daughter of Verna Mack – deceased. City of Austin/Code Compliance found the property a public nuisance and dangerous with substandard conditions. Staff recommended that the Findings of Fact and Conclusions of Law for this property be adopted; that the Commission Order all necessary permits be secured; that the Residential Single Family Structure located on the property be repaired with final inspections passed within 60 days of the date this Order is mailed to the owner; that all repairs or modifications shall meet or exceed the requirements of the Uniform Housing Code and all applicable codes; that the owner or owner's representative shall request inspection(s) to verify compliance; and that after the 60 days, a penalty of \$250.00 per week be assessed until work is completed with final inspections passed.

A motion was made by Commissioner Beebe to accept staff's recommended Order, Commissioner Hill seconded. Motion passed on a 4-0-0 vote.

e. CL 2010-030081**2605 Willow Street****Assalit Abuoa and Vera Martinez**

2605 Willow Street is a Residential Single Family Structure. Travis Central Appraisal District records show that Assali Abuoa and Vera Martinez are the title owners. The property was represented by Lisa Martinez, niece of Vera Martinez. City of Austin/Code Compliance found the property a public nuisance and dangerous with substandard conditions. Staff recommended that the Commission accept the Findings of Fact and Conclusions of Law for this property be adopted and Order a demolition permit be secured; that the Commission Order the Residential Single Family Structure and all Accessory Structure(s) located on the property be demolished and the lot left in a clean and raked condition within 60 days of the date this Order is mailed to the owner; that the Commission Order all portions of the Residential Single Family Structure and all Accessory Structure(s) be removed and that the Commission require the owner or owner's representative to request inspection(s) to verify compliance. If compliance is not achieved within 60 days, the Building Official may proceed with the demolition. After the 60 days, all portions of the Residential Single Family Structure and all Accessory Structure(s), including items in the structure and on the property, will be considered debris and disposed of as such.

A motion was made by Commissioner Kaplowitz to accept staff's recommended Order for demolition with an amendment for 60 days rather than 30 days, Commissioner Beebe seconded. Motion passed on a 4-0-0 vote.

f. CL 2010-010670**7100 Bethune Avenue****Saint John's Community Association**

7100 Bethune Ave. is a Commercial Structure located on this property. Travis Central Appraisal District records show that St. Johns Community Association is the title owner. The property was represented by Bill Beare – Treasurer, Virginia Brown Action Committee – a successor of St. John's Community Association; Sharlene Perkins – Vice President, Virginia Brown Action Committee – a successor of St. John's Community Association. The City of Austin/Code Compliance found the property to be a public nuisance and dangerous. Staff recommended that the Commission accept the Findings of Fact and Conclusions of Law for this property are adopted; that the Commission Order that a demolition permit be secured; and that the Structure located on this property be demolished and the lot left in a clean and raked condition within 45 days of the date this Order is mailed to the owner; that all portions of the Structure be removed and that the Commission require the owner or owner's representative to request inspection(s) to verify compliance. If compliance is not achieved within 45 days, the Building Official may proceed with the demolition. After the 45 days, all portions of the Commercial Structure, including items in the structure and on the property, will be considered debris and disposed of as such. A lien for all expenses incurred by the City of Austin will be filed with the Travis County Deed Records

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A motion was made by Commissioner Hill to accept staff's recommended Order, Commissioner Kaplowitz seconded. Motion passed on a 4-0-0 vote.

A motion to adjourn the meeting was made by Commissioner Hill, Commissioner Beebe seconded. Chair David Brown adjourned the Commission Meeting at 8:20 p.m. without objection.