



BUILDING AND STANDARDS COMMISSION

REGULAR MEETING MINUTES
Wednesday, May 26, 2010

The Building and Standards Commission convened in a regular meeting on Wednesday, May 26, 2010 at 301 West 2nd Street.

Chair David Brown called the Commission Meeting to order at 6:30 p.m.

Commission Members in Attendance:

David Brown, Chair; Stacy Kaplowitz, Daniel Gonzalez, and Ricardo Trevino.

Staff in Attendance:

Steve Ramirez, Assistant Division Manager; Prevo, Sonja, BSC Coordinator; Viola Ruiz, Scribe/Commission Staff Liaison; Kelly Stilwell, Supervisor; Dennis Vaughn, Investigator; Terry Hurd, Supervisor; Dan Cardenas, Assistant Division Director.

1. CITIZEN COMMUNICATION: GENERAL

a. None

2. NEW BUSINESS

- a. Dan Cardenas, Assistant Division Director made a Five (5) Year Code Compliance Budget Forecast presentation.
- b. The Commission indicated unanimous support for the Five Year Budget Forecast as presented
- c. Commissioner Kaplowitz voiced enthusiastic support for the addition of a Community Liaison position within CCD to assist special needs citizens with identifying available resources to help achieve compliance.

3. APPROVAL OF MINUTES

a. A motion for the approval of the March 24, 2010 and April 28, 2010 hearing minutes was made by Commissioner Gonzalez, Commissioner Kaplowitz seconded.

Motion to approve the minutes was passed on a 4-0-0 vote.

b. The Commission approved the minutes from the May meeting with a two-part amendment to the draft: (1) to reflect the Commission's unanimous support at the May hearing of the Five (5) Year Code Compliance Budget Forecast as well as (2) to note Commissioner Kaplowitz's particular enthusiasm in support of the proposed addition of a community liaison employee within CCD to assist special needs citizens with identifying available resources to help them achieve compliance.

A motion for the approval of the May 26, 2010 hearing minutes was made by Commissioner Gonzalez, seconded by Commissioner Kaplowitz.

4. PUBLIC HEARINGS

Commission Coordinator Sonja Prevo presented the following cases:

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| a. CL 2010-040599 | 2208 Canterbury Street | Dora Elia and Pedro P Chairez |
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2208 Canterbury Street is a Residential Single Family Structure. Travis Central Appraisal District shows that Dora Elia and Pedro P Chairez are the property owner(s). This case was represented by Dora Elia Chairez. City of Austin/Code Compliance Department found that this property is a public nuisance with substandard conditions. Staff recommends that the Commission accept the Findings of Fact and Conclusions of Law for this property and Order a demolition permit to be secured. That the Commission Order the Residential Single Family Structure, (TCAD Improvement ID 153341), located on the property be demolished and the lot left in clean 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, (TCAD Improvement ID

153341), be removed and that you require the owner or owner's representative to request inspection(s) to verify compliance. If compliance is not achieved within the 30 days, the Building Official may proceed with the demolition. After the 30 days, all portions of the Residential Single Family Structure, (TCAD Improvement ID 153341) 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.

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

A secondary motion was made to bring back the Property for further consideration at next month's agenda, to consider staff's briefing on a remedy for utilities of both structures on property. Motion moved by Commissioner Gonzalez, Commissioner Trevino seconded. Motion passed on a 4-0-0 vote.

A third motion was made to enable the Commission to modify the first Order if needed by Commissioner Gonzalez, Commissioner Trevino seconded. Motion passed on a 4-0-0 vote.

b. CL 2010-040620 1710 East 18th Street Estella Mae Hill Estate% Juanita Price
CASE WITHDRAWN

c. CL 2010-040615 117 West 4th Street USRP Funding 2001 – A L P

117 West 4th Street is a Commercial Structure. Travis Central Appraisal District shows that USRP Funding 2001 – A L P is the owner of this property. This case was represented by Michael Kim, Spaghetti Warehouse Real Estate; Phillip Lonely, Director of Spaghetti Warehouse; and Doug Paik-CEO, Owner of Spaghetti Warehouse (occupants). City of Austin/Code Compliance Department found that this property is a public nuisance and dangerous. Staff recommended that the Commission accept the Findings of Fact and Conclusions of Law for this property and Order a demolition permit to be secured; That an engineer's letter be submitted to the Code Compliance Department of the City of Austin with specific information regarding the length of time for which the temporary structural shoring may be employed. The engineer's letter shall be submitted within 7 days of the date the order is mailed.

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

d. CL 2010-041314 2106 Pennsylvania Ave. Jack Kuykendall

2106 Pennsylvania Ave. is a Residential Structure. Travis Central Appraisal District shows that Jack Kuykendall is the owner of this property. This case was represented by the occupant Paul Rios, and Rudolph Williams, President; Blackshear Neighborhood Association. 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 all necessary permits be secured; That Unit "A" of the Residential Structure located on this property be vacated and secured within 45 days of the date this Order is mailed; That Code Compliance personnel conduct a follow-up inspection to verify compliance, and if compliance with this Order has not been achieved within 45 days, this Order hereby authorizes any Peace Officer of the state including a Sheriff or Constable or designee of the Austin Chief of Police to enforce and carry out this Order.

A motion was made to amend Staff's recommended Order of 30 days vacation to 45 days vacation by Commissioner Kaplowitz, Commissioner Trevino seconded. Motion passed on a 4-0-0 vote.

A motion to adjourn the meeting was made by Commissioner Kaplowitz, Commissioner Trevino seconded. Chair David Brown adjourned the Commission Meeting at 9:12 p.m. without objection.

