



BUILDING AND STANDARDS COMMISSION

REGULAR MEETING MINUTES
Wednesday, June 23, 2010

The Building and Standards Commission convened in a regular meeting on Wednesday, June 23, 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; Dr. Ethelynn Beebe, Vice Chair; Tim Hill, Stacy Kaplowitz, Daniel Gonzalez, and Ricardo Trevino.

Staff in Attendance:

Willie Rhodes, Code Compliance Director; Dan Cardenas, Assistant Director; Steve Ramirez, Assistant Division Manager-Legal Operations; Prevo, Sonja, BSC Coordinator; Viola Ruiz, Scribe/BSC Commission Staff Liaison; Kathleen Buchanan, Assistant City Attorney; Lia Warner, Performance Coordinator; Melissa Martinez, Assistant Division Manager; Marcus Elliott, Investigator; Manny Villegas, Investigator; Robert Alvarado, Investigator; Moses Rodriguez, Investigator; Luis Gonzales, Investigator; Jonathan Josephson, Supervisor; Terry Hurd, Supervisor; and Detective Larry Biegert, Austin Police Department.

1. CITIZEN COMMUNICATION: GENERAL

a. None

2. OLD BUSINESS

- a. 2208 Canterbury Street
- b. Housing Resources

3. NEW BUSINESS

a. Building and Standards Commission Retreat - Commission members directed staff to e-mail a date to Commission Members for a consensus on retreat date and time. A draft of the proposed Agenda distributed.

4. APPROVAL OF MINUTES

- a. The minutes from the May 26, 2010 hearing were approved on Commissioner Gonzalez's motion, Commissioner Kaplowitz seconded. Motion to approve the minutes was passed on a 4-0-0 vote.
(Only Commissioners present at May's hearing voted)

5. PUBLIC HEARINGS

Commission Coordinator Sonja Prevo presented the following cases:

a. CL 2010-050006 2006 Canterbury Street

Joe R. Del Rio
Appeal

2006 Canterbury Street is a Residential Single Family Structure. Travis County Appraisal District shows that Joe R. Del Rio is the owner. This case was represented by Joe R. Del Rio – property owner; Robert Ranco – Attorney, Carlson Law Firm, P.C.; Linda Lee Kaplan – Attorney, Carlson Law Firm. P.C. City of Austin/Code Compliance Department found that this property is a public nuisance and dangerous with substandard conditions. Staff recommended that the Commission deny the appeal.

A motion was made to place this case in abeyance till the next BSC Hearing. Motion made by Commissioner Beebe, Commissioner Hill seconded. Motion was passed on a 5-1-0 vote.

b. CL 2010-050372 3007 East 12th Street

12th ATC LLC
Appeal

3007 East 12th Street is a Residential Duplex. Travis County Appraisal District shows that 12th ATC LLC is the owner. This case was not represented. City of Austin/Code Compliance Department found that this property is a public nuisance and dangerous with substandard conditions. Staff recommended that the Commission deny the appeal.

A motion was made to deny the appeal by Commissioner Beebe, Commissioner Hill seconded. Motion passed on a 6-0-0 vote.

Commission went into recess at 7:35pm and reconvened at 7:45pm.

c. CL 2010-04204 8807 Bridgeport Drive

Kathy L. Schmidt

8807 Bridgeport Drive is a Residential Single Family Residential Structure. Travis Central Appraisal District shows that Kathy L. Schmidt is the owner of this property. This case was represented by the owner Kathy L. Schmidt and Elizabeth Houston (Counselor for Kathy Schmidt). City of Austin/Code Compliance Department 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; That the Commission Order all necessary permits be secured; That the Residential Structure located on this property be repaired in 30 days, and that the owner request inspections to verify compliance; And that after the 30 days, a penalty of \$10.00 per day per violation be assessed until work is completed with final inspections passed.

A motion was made to accept Staff's recommended Order by Commissioner Kaplowitz, Commissioner Hill seconded. Motion passed on a 6-0-0 vote.

d. CL 2010-049186 7305 South Pleasant Valley Road, Unit A

Huong Phan

7305 South Pleasant Valley Road, Unit A is a Residential Duplex. Travis Central Appraisal District shows that Huong Phan is the owner of this property. This case was represented by the owner Huong Phan. City of Austin/Code Compliance Department found the property a public nuisance and dangerous. Staff recommended that the Commission Order the Residential Duplex, Unit A located on the property be repaired with final inspections passed within 30 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 30 days a penalty of \$250.00 per week be assessed until work is completed with final inspections passed.

A motion was made to accept Staff's recommended Order by Commissioner Hill , Commissioner Kaplowitz seconded. Motion passed on a 6-0-0 vote.

e. CL 2010-049989 117 West 4th Street

USRP Funding 2001-ALP

117 West 4th Street is a Commercial Building. Travis Central Appraisal District shows that USRP Funding 2001-ALP is the property owner(s). This case was represented by the tenants; Michael Kim, Spaghetti Warehouse Management - Real Estate, and Andy Gear, Spaghetti Warehouse - South Regional Manager. City of Austin/Code Compliance Department found that this property is a public nuisance and dangerous with substandard conditions. Staff recommends that the Commission accept the Findings of Fact and Conclusions of Law for this property and Order all necessary permits be secured; That the Commission Order the Commercial Building located on the property be repaired with final inspections passed within 30 days of the date this Order is mailed to the owner(s); That all repairs or modifications shall comply with requirements of all applicable codes; That the owner or owner's representative shall request inspection(s) to verify compliance; and that after the 30 days, a penalty of \$1,000.00 per week be assessed until work is completed with final inspections passed.

A motion was made to accept Staff's recommended Order by Commissioner Gonzalez, Commissioner Beebe seconded. Motion passed on a 6-0-0 vote.

f. CL 2010-040599**2208 Canterbury Street****Dora Elia and Pedro P. Chairez**

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 the owner; Dora Elia Chairez. City of Austin/Code Compliance Department found that this property is a public nuisance and dangerous with substandard conditions. Staff recommends that the Commission Order the Residential Single Family Structure, (TCAD Improvement ID 153341), located on the property be demolished and the lot left in a 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; and 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 was made to NOT modify the original Order made at last month's hearing (May 26, 2010). Motion made by Commissioner Beebe, Commissioner Hill seconded. Motion passed on a 6-0-0 vote.

A motion to adjourn the meeting was made by Commissioner Beebe, Commissioner Kaplowitz seconded. Chair David Brown adjourned the Commission Meeting at 8:50 p.m. without objection.