



BUILDING AND STANDARDS COMMISSION

**REGULAR MEETING MINUTES
Wednesday, August 25, 2010**

The Building and Standards Commission convened in a regular meeting on Wednesday, August 25, 2010 at 301 West 2nd Street.

Chair David Brown called the Commission Meeting to order at 6:32 p.m.

Commission Members in Attendance:

David Brown, Chair; Dr. Ethelynn Beebe, Vice Chair; Tim Hill, Stacy Kaplowitz, and Daniel Gonzalez.

Staff in Attendance:

Willie Rhodes, Code Compliance Director; Dan Cardenas, Assistant Director; Steve Ramirez, Assistant Division Manager-Legal Operations; Kathleen Buchanan, Assistant City Attorney; Prevo, Sonja, Scribe/BSC Coordinator; Viola Ruiz, BSC Commission Liaison; Melissa Martinez, Assistant Division Manager; Jonathan Josephson, Supervisor; Dennis Vaughn, Investigator; Keith Leach, Division Manager and Mike Carter, Investigator.

1. CITIZEN COMMUNICATION: GENERAL

- a. Rudolph Williams, President – Blackshear Neighborhood Association

2. OLD BUSINESS

- a. N/A

3. NEW BUSINESS

- a. Approve bylaws as directed by City Council in action taken on July 29, 2010 concerning officer terms.
Approved; Motion made by Commissioner Hill and seconded by Commissioner Beebe.
Bylaws approved on a 5-0-0 vote.
- b. Election of Officers for the 2010 – 2011 for the Building and Standards Commission are:
Commissioner David Brown – Chairman,
Motion made by Commissioner Hill and seconded by Commissioner Beebe.
Commissioner Ethelyne Beebe - Vice Chair,
Motion made by Commissioner Hill and seconded by Commissioner Kaplowitz.
Officers elected on a 4-0-0 vote.

4. APPROVAL OF MINUTES

- a. Commission hearing minutes from the June 23, 2010 regular meeting approved on a 5-0-0 vote.

Commission went into Executive Session at 7:45 pm and reconvened at 8:10 pm.

5. EXECUTIVE SESSION (no public discussion)

CL 2010-069048

2106 Pennsylvania Ave.

Jack Kuykendall

6. PUBLIC HEARINGS

Commission Coordinator Viola Ruiz presented the following cases:

a. CL 2010-066598

3016 East 17th Street – detached structure

Willie Lee Johnson

3016 East 17th Street is a Residential Detached Structure. Travis Central Appraisal District shows that Willie Lee Johnson is the owner of this property. This case was not represented. City of Austin/Code Compliance Department found the property a public nuisance and dangerous. Staff recommended that the Commission accept the Findings of Fact and Conclusions of Law for this property and adopt; that the Commission Order a demolition permit be secured; and, that the **Residential Detached Structure** located on the property be demolished and the area where the structure is located 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 Detached Structure** be removed and the owner or owner(s) representative shall request inspection 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 Detached 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.

Motion was made by Commissioner Gonzalez, Commissioner Hill seconded. Motion was passed on a 5-0-0 vote.

b. CL 2010-066579

813 ½ East 13th Street (AKA 813 East 13th Street)

Roger Easley

813 ½ East 13th Street (AKA 813 East 13th Street) Drive is a **Residential Single Family Residential Structure**. Travis Central Appraisal District shows that Roger Easley is the owner of this property. This case was represented by the owner Roger Easley, Kendall Easley, and JC Thomas, Attorney for the owner. City of Austin/Code Compliance Department found the property a public nuisance and dangerous. Staff recommended that the Commission accept the Findings of Fact and Conclusions of Law for this property and it be adopted; that the Commission Order a demolition permit be secured; that the Commission Order the **Vacant Structure identified by Travis Central Appraisal District as Improvement ID# 160520** located on the property to be demolished and the lot left in a cleaned and raked condition and that all associated trash, debris and material be removed within **60 days** of the date this Order is mailed to the owner.

That the Commission Order all portions of the **above referenced structure** to be removed and the owner or owner's representative shall request inspection (s) to verify compliance. If compliance is not achieved within the **60 days**, the Building Official may proceed with the demolition. After the **60 days**, all portions of the **structure**, including items in the structure will be considered debris and disposed of as such. And that a lien for all expenses incurred by the City of Austin will be filed with the Travis County Deed Records. Furthermore; that the Commission Order that an interior inspection of the accessory structure identified **by Travis Central Appraisal District as Improvement ID#160522** shall be conducted by the Code Compliance Department **within 7 days of the date** this order is mailed to the owner. It is Ordered that this case be returned to the Commission at the next available hearing for an update on the inspector's findings and consideration of a substantive order.

A motion was made by Mr. JC Thomas, Attorney for the property owner for the public hearing on this case to be placed in abeyance until another attorney can be hired to represent the property owner. Commission decided to review this evening.

A motion was made by Commissioner Beebe Commissioner, Commissioner Gonzalez seconded.

A motion was made to amend the number of days of the Order from 30 to a 60 day demolition Order by Commissioner Beebe, Commissioner Hill seconded. Motion passed on a 5-0-0 vote.

c. CL 2010-069048

2106 Pennsylvania Ave.

Jack Kuykendall

2106 Pennsylvania Avenue is a **Residential Property and Accessory Structures**. Travis Central Appraisal District shows that Jack Kuykendall is the owner of this property. This case was represented by Rudolph Williams, President – Blackshear Neighborhood Association. City of Austin/Code Compliance Department found the property a public nuisance and dangerous. Staff recommended that the Commission accept the Findings of Fact and Conclusions of Law for this property be adopted; that the Commission Order any necessary building, trade, or other permits required for repair of structures to applicable minimum standards be secured; that the Commission Order the property and structures remain vacated as specified in the two prior final

Orders of this Commission and that the property be additionally secured by the installation of an 8' vertical height security fence at the perimeter of the property within seven (7) days of the date this Order is mailed to the record owner, which fence shall remain in place until such date as all required repairs and inspections have been completed and the City of Austin has released this Order from the property records upon verification of compliance with all substantive requirements of this Order; that the Commission Order all **Residential Structures** as well as any **Accessory Structures** located on this property to be repaired to minimum standards within **30 days** of the date the Order is mailed; that all repairs or modifications shall meet or exceed the requirements of all applicable codes including passage of all required City permit or other inspections and securing of final status to certify habitability of the property to minimum standards for residential occupancy for residential structures and the compliance of any accessory structures; and that the Commission Order the owner to request and obtain from the City final inspection of the property and all structures thereon to verify compliance of this property with minimum housing, fire, technical code, and other applicable health and safety minimum standards.

Furthermore; that the Commission Order that if compliance with all terms of this order is not achieved within **30 days** of the date the Order is mailed to the record owner, a civil penalty of \$250.00 a week shall be assessed until work is completed with final inspections passed; and that the Commission Order that if compliance with the installation of 8' vertical height perimeter fencing requirement at the property is not achieved within the **specified seven (7) days**, the City of Austin may proceed with installation of the specified perimeter fence and may, on an ongoing basis as necessary, maintain the property in a secure manner and vacate the property of unauthorized persons until full compliance with this Order has been achieved; and that the Commission Order a lien for all expenses incurred by the City of Austin for work performed and costs required to comply with this Order will be filed against this property with the Travis County Deed Records.

A motion was made to accept Staff's recommended Order with an amendment to the number of days allowed for repair, from 60 days changed to 30 days. Motion made by Commissioner Hill, Commissioner Kaplowitz seconded.
Motion passed on a 5-0-0 vote.

A motion to adjourn the meeting was made by Commissioner Beebe, Commissioner Kaplowitz seconded. Chair David Brown adjourned the Commission Meeting at 9:35 p.m. without objection.